



# Agenda

## COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

26 November 2008

Bridgebury House, Woburn Road, Kempston, Bedford MK43 9AX

For further information, or to see the papers, please contact the Police Authority:



**CALL Janet Wardell** on (01234) 842066



**IN PERSON, (by appointment)** 9am to 5pm, Monday to Friday



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Email:- [enquiries@bedfordshirepoliceauthority.co.uk](mailto:enquiries@bedfordshirepoliceauthority.co.uk)

To: **Members of the Complaints and Professional Standards Committee**

(Mr P Conniff, Mr L Denny, Mrs P Fletcher, Mrs S Gillard, Mrs L Hockey,  
Mr P Hollick Mrs K Johnson and Mr R Saleem

A meeting of the **COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE** of the **Bedfordshire Police Authority** will be held at Bridgebury House, Woburn Road, Kempston, at **2.00 pm** on **Wednesday 26 November 2008**. Files will be available for Members' scrutiny from **Noon**.

**JANET WARDELL**  
Member Services Support Manager

## AGENDA

(\*indicates that a supporting document accompanies this Agenda)

**1. Apologies**

**2. To confirm the minutes of the meeting held on 28 August 2008**

By Chairman - Minutes\*

**3. Matters Arising**

**4. Declarations of Interest**

To receive any personal or prejudicial interests from Members

**5. Student Officer Recruitment and Selection**

Report\* of the Chief Constable

**6. Professional Standards Cases and Issues**

Report\* of the Chief Constable

**7. Independent Custody Visitor Scheme**

Minutes of the meeting of the Independent Custody Visitor's Panel held on 21<sup>st</sup> October 2008

**To consider the exclusion of the press and public from the meeting on the grounds that the items to be discussed are confidential and involve the disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972. Papers are not being sent to the press or made available to the public.**

**8. Summaries of Professional Standards Cases**

The Chief Constable's report is available for collection by Members from the Member Services Support Manager

**COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE**

**28 August 2008**

**PRESENT**

Mrs P Fletcher (In the Chair)

Mrs S Alexander, Mrs R Gutteridge and Mr P Hollick

Apologies for absence were received from Mrs S Gillard, Mrs L Hockey and Mr R Saleem

**08/qz/18 MINUTES**

The minutes of the meeting held on 13 May 2008 were confirmed.

**08/qz/19 MATTERS ARISING**

**08/qz/14 Strategic Analysis Of Custody Complaints**

The Chair agreed to pursue with the Head of Professional Standards an area for Strategic Analysis

**08/qz/12 – IPCC current issues**

Members asked to be informed of the progress being made in Bedfordshire's involvement in a pilot for the implementation of the new misconduct system.

**08/qz/13 Professional Standards Case and issues**

It was noted that the Regional meeting for Professional Standards Departments would take place in early September and that the matter raised at the last meeting with regard to enforcement of the national recording standards would be discussed at that meeting.

**08/qz/20 DECLARATIONS OF INTEREST**

There were no declarations of personal or prejudicial interests from Members.

**08/qz/21 STRATEGIC ANALYSIS OF CUSTODY COMPLAINTS**

The Chair of the Committee advised that she was now the new Lead Member for Professionalising Criminal Justice. The Programme Board met for the first time on 1<sup>st</sup> August and would monitor the implementation of the 2-year programme. The Chair mentioned that the Performance Committee would receive a presentation on the Professionalising Criminal Justice at its next meeting to be held in November.

With regard to Custody issues identified in the Strategic Analysis on Custody the

Chair advised that she would be meeting with the Project Manager shortly to discuss how they were to be progressed.

**08/qz/22**    **PROGRESS ON COLLOBORATION OF PROFESSIONAL STANDARDS**

The Assistant Chief Constable (Protective Services) circulated a briefing note which outlined the progress being made by the Bedfordshire and Hertfordshire Forces in the collaboration of Professional Standards.

Members noted that the Joint Collaboration Board had recently met and agreed that a joint function was viable and the collaboration team would finalise an options report at its meeting on 8<sup>th</sup> September. The views of the Federation and Unison would be sought on the options to be considered and once the preferred option had been agreed there would be formal consultation with staff.

The Chief Executive/Treasurer advised that the Members of the Bedfordshire and Hertfordshire Joint Collaboration Working Group would have the opportunity to consider the preferred option prior to approval by the Authority at its specially convened meeting on 18<sup>th</sup> November.

The Chief Executive/Treasurer agreed to ensure that the Chair of the Committee had early sight of the preferred option.

**08/qz/23**    **PROFESSIONAL STANDARDS CASES AND ISSUES**

The Committee considered the Chief Constable's report on the current position with regard to Professional Standards issues for the reporting period 1 April to 31 June 2008 and provided comparative data from the years 2006/07 and 2007/08.

Data had been categorised into the following areas:

- Professional Standards Department – Workload
- Analysis of Complaint cases
- Analysis of Complaint allegations
- Analysis of Social factors relating to complainant characteristics
- Analysis of Social factors relating to subjects characteristics
- Complaint allegations finalised
- Investigation Times
- IPCC Appeals
- Conduct Matters
- Criminal Prosecutions
- Direction and Control
- Benchmarking

Chief Inspector Dave Green, the Deputy Head of Professional Standards, presented the report on behalf of Superintendent Darlow, the Head of Professional Standards

Highlights from the report are detailed below:

**(a) Workload Management**

In relation to the number of allegations received data showing a comparison to the previous 2 years indicated that overall the workload had decreased by 4% compared to 2007/08 and since 2006/07 had increased by 30% . The most common method of making a complaint continued to be by letter.

**(b) Analysis of Complaint Cases**

Following the rise in 07/08 the number of complaints cases received to date in 08/09 had significantly decreased.

This difference between number of complaint cases received in 2007/08 and 2006/07 continued to indicate stability, which was also evident when measuring complaints cases and allegations against the number of incidents attended by Bedfordshire Police.

Measuring complaint cases against per 1000 population also continued to remain stable.

Complaint cases closed in this period was 103, an increase of 9 on last year and 35 compared to 2006/07; demonstrating the increased productivity of the Professional Standards Department.

**(c) Analysis of Complaint Allegations**

The number of complaint allegations recorded had increased by 28 (17%) compared to last year and had increased by 23 on the year before.

The top two allegations recorded were other neglect or failure of duty and incivility which had been consistent over the past three years. The two categories with the biggest increases this year compared to last were breach of Code B PACE ( entry into a property and searches) and other Irregularity in Procedure

Research into 'Other neglect or failure in duty' identified the main issue was not keeping people informed, this had been acknowledged as a cause for concern for the Force and was currently being managed by the Service Improvement Group.

Recommendations from 'Breach Code C PACE' research, custody managers seminars and custody forums together with a variety of initiatives had contributed to the decrease in complaint allegations. It was anticipated that this work would also impact on the 'Unlawful / Unnecessary Arrest' allegations.

Breach Code B PACE' and Incivility have been identified as emerging trends and were currently being monitored by PSD.

In relation to complaint allegations per staff the report included data on the number of complaints received based on a Police Officer or Police Staff's geographic division. Due to a change of structure which saw the amalgamation of non territorial divisions to create Citizen Focus, Protective Services and Corporate Services only a year on year comparison could be provided based on the two territorial divisions and the Force total.

A breakdown of the total allegations per staff type indicated that for both territorial divisions allegations had significantly decreased compared to last year. Currently there was no comparison for the other divisions due to a change in force structure. Complaint allegations per headcount of officers had decreased this year compared to last, central division by 50%

For Special Constables the Complaint allegations per special constables in central division and the force have decreased since last year, Luton division had seen a slight increase.

There continued to be an increasing trend in the number of complaints received in relation to Police Community Support Officers. This increase was anticipated as PCSO's were given certain police powers in April 2006. Complaints within the central division had remained stable compared to last year but Luton division has decreased by 89% and the force by 80%

Complaint allegations against police staff have increased for both the two territorial divisions and the force. Luton division police staff have more complaint allegations recorded against police staff compared to Central division. This increase was due to the Department recording against all staff types, an increase in complainant types, methods to complain and recording practices

**(d) Analysis of Social factors relating to complainants characteristics**

The data indicated that the Gender, age or ethnicity of complainants was not reflective of the population

The 2001 Bedfordshire Census showed the population gender is 50/50 although 68% of complainants are males. Male complainants had slightly increased each year whilst female complainants were continually decreasing

The age of complainants had fluctuated over the last three years, the age groups that increased last year have decreased this year and vice versa. Complaints from the ethnic community were continuing to increase which gave a clear indication that there was a growing confidence in the complaints system.

The report highlighted the Initiatives & Actions to Improve Access & Confidence in the Complaints System, which included complaint forms in various languages on the Force website which could be submitted electronically. Community representatives act as a main contact – complaint packs in various languages Independent Advisory Group members meet with PSD on a regular basis.

Data on the gender, age, ethnicity and length of service of staff who had a recorded complaint against him or her indicated that in comparison to the previous two year police Officers as subjects of a complaint had decreased, the majority of subjects were aged between 30 and 39 and the majority were white. With regard to the length of service complaints against those in the probationary period were at an all time lowest which was in part due to the Department's and the Authority's input into the training of new recruits.

### **(e) Complaint Allegations Finalised and Investigation Times**

The number of complaint allegations finalised in comparison to last year had increased by 48% and 83% against 2005/06.

Locally resolved allegations had increased year on year but in comparison to the 2077/08 had decreased by 4. Dispensations/Discontinuance had also shown a decrease and there were increases in unsubstantiated, substantiated and withdrawn complaints. The rise in the number of unsubstantiated and substantiated allegations illustrated the increase in the number of full investigations carried out by the Department.

The significant increases reflected the growth in the PSD workload and performance.

The number of complaint cases finalised had consistently increased over the years. This reporting period saw significant increases both in the overall number of cases closed and those closed within the same period as they were recorded. The number of cases closed within the 120-day target had improved significantly over the past three years and stood at 89% for the current reporting period.

There had been an increase in the number of cases that had proceeded to a full investigation and again there was a significant improvement upon the previous 2 years in meeting the 120-day target.

For local resolutions there had been an increase in the number of cases locally resolved and an increase also in those completed within the 120 working day target.

In accordance to the IPCC statutory guidance the timescale for local resolutions was an average of 28 days; the number of cases meeting the target has risen although during the last three years the average timescale has fluctuated. This improvement had been in part due to local resolution training for all staff and Officers.

The number of appeals to the IPCC had remained stable during the first quarter of the year. There had been a decrease in the number of appeals upheld but at this stage it was not possible to establish any trends.

### **(f) Conduct Matters**

The number of conduct matters recorded had consistently increased. No one allegation had been consistently the highest over the past three years.

The Categories with the biggest increases so far this year compared to last year was 'General Conduct'. Of the thirteen cases five were off duty matters and six related to the misuse of the internet and email systems. It was noted that the investigation into the misuse of the email system had now been finalised and sanctions delivered. .

### **Criminal Prosecutions**

There was one recorded criminal prosecutions so far this year

### **(g) Benchmarking**

In comparison to the regional data Bedfordshire was below the regional average in number of allegations and percentage of cases completed in the 120 day timescale. above the regional average for allegations per staff and substantiated complaints and the best performer for local resolutions

In comparison to its Most Similar Forces Bedfordshire was below average for the number of allegations per employee and recorded complaints and above average in the percentage of local resolutions, substantiated cases and cases finalised within 120 days.

### **(h) Direction and Control**

The number of Direction and Control cases had fluctuated over the last three years. However, 'General Policing Standards' was the top allegation.

The IPCC state a 28 working day timescale for Direction and Control matters to be dealt with; the percentage of finalising in that time is decreasing and currently stood at 64%.

The Committee also received a briefing paper on the progress of the delivery of the Taylor Project. Members were reminded of the background to the introduction of the new arrangements for dealing with performance and conduct.

Details of the new procedures were reflected in the:

- Police (Performance) Regulations 2008
- Police (Conduct) Regulations 2008
- Police Appeals Tribunal Rules 2008

The Police (Complaints & Misconduct)(Amendment) Regulations 2008 and Police Amendment Regulations 2008 will shortly be laid in Parliament so that all will come into force on Monday, 1 December 2008.

All staff were to be made aware of the changes through the newsletter

'Forcewide News' and briefing sessions for would be arranged for all supervisors

The paper also provided an update on some early results of the pilot. The pilot had been seen as a success as having the Department resource on site meant that complaints and investigations could be conducted within shorter timeframes. Officers and staff were making full use of having this support available locally by seeking advice at an earlier stage of concern than previously.).

Another key element of the Taylor project were the changes to be made to the Hearing process and sanctions given. In order to fully prepare the force for these changes, specialist training has been arranged for all Chief Inspectors, Superintendents and Chief Superintendents.

The main issues arising from the report were as follows:

**(a) Neglect of Duty**

The Chair required assurance that measures were in place to reduce the level of neglect of duty allegations, particularly around keeping people informed. The Assistant Chief Constable (Protective Services) responded that the Service Improvement Group were taking this matter forward and that the latest performance figures around satisfaction indicated that this area was improving. He mentioned some of the initiatives that had been put in place to reinforce the message to staff to keep victims informed and would ask the Assistant Chief Constable (Territorial Services) to provide a brief summary of the work that the Crime Investigation Improvement project was undertaking in this area. The Chair of the Committee considered that officers could be making use of their Blackberrys to keep people informed but asked how this was recorded. The Assistant Chief Constable would pursue this with the Assistant Chief Constable (Territorial Policing) and provide a response to Members.

**(b) Police Community Support Officers (PCSO)**

Members were concerned to learn that there had been an increase in the number of misconduct matters recorded for Police and Community Support Officer. The misconduct matters had, in the main, related to incivility and inappropriate behaviour. Of particular concern to members was the increase in the misuse of social network sites. Chief Inspector Green advised that the Department had been proactive in addressing this and the advice about the information Bedfordshire Police Officers and staff could place on such sites had been highlighted at the law input seminars, probationer training and the Department's advice column which was accessible on the Force Intranet.

Members considered that this issue was of such importance to the reputation of the Force that the advice given around the use of social network sites should be formalised in a Force Policy. Chief Inspector Green would pursue this and update Members at the next meeting of the Committee.

Members also considered that the integrity of a potential PCSO needed to be

carefully considered at the selection stage. The Assistant Chief Constable (Protective Services) agreed to raise the matter with the Assistant Director (People Services) and would report back to the next meeting on how this was managed during the selection process.

**(c) Protective Services**

There had been an increase in the number of complaint allegations against staff within Protective Services. Chief Inspector Green understood that they the allegations mainly related to Officers working in the Child Protection team but would confirm this prior to the next meeting.

**(d) Format of the presentation of the Monitoring Data**

Clearer distinction in the report between complaints made against Police Officers and Police Staff was still to be achieved and this would be looked at again by the Professional Standards Department . Members considered that it might be useful in the benchmarking section to incorporate statistics showing the national average.

**(e) Allegations Result and Complainants Ethnicity**

In order to understand why the data indicated that the level of substantiated complaints for ethnic minorities complainants was higher than those complainants of a white background more information was required around the fairness and equality issues that might be behind the figures and this would be provided at the next meeting.

**RESOLVED**

That the report, views and comments thereon be noted.

**08/qz/24 MINUTES OF THE INDEPENDENT CUSTODY VISITORS PANEL**

The Minutes of the meeting of the Independent Custody Visitors Panel held on 29 July 2008 were considered.

**RESOLVED**

That the minutes be received.

**08/qz/25 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED**

That the press and public be excluded from the meeting during the discussion of the following item on the grounds that it is confidential and may involve the disclosure of exempt information as defined in paragraph 1 of part 1 of Schedule

12A to the Local Government Act 1972.

**08/qz/26** **SUMMARIES OF COMPLAINTS AND DISCIPLINE CASES (In Private)**

A report of the Chief Constable was submitted which summarised those cases of complaints and civil claims which had been completed during the period 1 April–30 June 2008.

Members also received a report from the Chief Constable providing details about those Police Officers that had received a criminal prosecution, those on were on restricted duties or suspended. The report also included the current position with regard to civil claims.

The Chair reported that for the period under review Members had dip-sampled those complaints that related to misconduct, incivility and Police and Community support Officers.

Arising from the complaints that had been considered Members considered that advice around Court appearances needed to be reinforced.

**RESOLVED**

That the report be noted.



## BEDFORDSHIRE POLICE AUTHORITY

### NOT PROTECTIVELY MARKED

#### INFORMATION ITEM

<b>Committee:</b>	Complaints & Professional Standards Committee
<b>Date:</b>	26 November 2008
<b>Agenda Item:</b>	Item 5
<b>Lead Officer:</b>	Assistant Chief Constable (Protective Services)
<b>Subject:</b>	Student Officer Recruitment & Selection
<b>Purpose:</b>	For Information
<b>Background Papers:</b>	Regulation 13 Procedure

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#### **1.0 Background**

- 1.1 Bedfordshire Police has high levels of vacancies across the Force both in Territorial Policing and Protective Services. There has been success with recruiting transferees from other Forces, with 22 to date being posted to Territorial Policing and 5 to Special Branch.
- 1.2 Vacancies, however, in Protective Services remain difficult to recruit to and it is clear that the Force needs to adopt a robust deployment model and grow our own specialists if these vacancies are to be addressed on a sustainable basis.
- 1.3 By growing our own the Force will be predominantly recruiting experienced officers from Territorial Policing, and a continued emphasis on high profile media campaigns is therefore required to attract transferees to the Territorial Divisions as well as developing student officers.
- 1.4 In the last twelve months the Force has had to recruit three times as many student officers than previously. It is anticipated that these numbers will have to increase to ameliorate the vacancy position across the Force.
- 1.5 The process for recruiting student officers is rigorous as well as labour and time consuming. There is also a substantial investment involved and it is critical that the Force recruits individuals of a high calibre to prevent high turnover.

#### **2.0 The Recruitment Process**

##### **2.1 Initial Screening**

All enquiries are subject to initial telephone screening about financial situations, previous convictions or cautions, possession of a driving licence and other basic criteria.

## **2.2 Information Evening**

All enquiries that pass basic screening are invited to an information evening which they must attend in order to receive an application form. At this evening they are told some of the realities of policing, their expectations are examined and the recruiting and training process fully explained. Attendees are also steered towards PCSO or Special Constable roles as alternatives if they are unsure about whether to proceed with a Police Officer application.

## **2.3 Short listing**

All application forms are short listed. Firstly to ensure that basic criteria are met, then the competency based questions are marked to a national marking guide. Grammar and spelling are tested at this point as well as the candidate's competencies in various key areas.

A pre-screening medical questionnaire is sent to Occupational health for them to identify at an early stage any potential problems.

At this stage any early information which indicates issues with convictions, medical issues, finance or anything else will prompt early action in these areas

## **2.4 First Checks**

Candidates and details of their relatives and close associates are sent for checking with PNC, local intelligence and also enquiries are made in other force areas if any of them have resided outside Bedfordshire in the last five years.

**Note-** Any information returned from conviction or intelligence checks is referred to the Employee Resource Manager (Inspector Mike Smith) who makes a decision on whether to allow the candidate to proceed. This decision is based on Home Office and Force guidelines and centres on any risk to the candidate or the force through allowing that person to proceed in the process. Any appeals from candidates rejected at this stage are dealt with by the Assistant Director (People Services).

## **2.5 Pre-Interview and Written Test**

Candidates are invited to a pre-assessment centre interview and written test. The interview is held with a member of recruiting and a representative from one of the Divisions. Both J and C send operational Sergeants or Inspectors to assist.

The purpose of the interview is to assess the candidates' expectations and to take a reality check on whether they understand the career they are applying for and the implications of becoming a police officer. Of course, other things are also noted such as the way the candidate conducts themselves, timekeeping, communication skills and diversity awareness.

The written test is a problem solving test involving writing a letter based on information given to the candidate. This is used to assess written communication skills, grammar, spelling etc.

These tests are carried out before the assessment centre because it has been found that candidates were unrealistic in their knowledge of the role and resignations early in officer's careers were due to this factor. Also, written communication skills are tested at the assessment centre but at a low level and candidates were passing but later found to be unable to properly construct statements or write reports.

## **2.5 National Assessment Centre (SEARCH)**

Remaining candidates are coached to Ryton near Birmingham for an assessment centre run on our behalf by NPIA. This centre consists of written exercises, role plays, interviews and multi choice papers.

The national pass mark at this centre is 50%, some forces run at 60% and Bedfordshire have currently chosen to run at 55%. We believe this maintains a standard without starting to discriminate against certain groups. We will be reviewing the pass mark in April 2009 with a view to raising this to 60%.

All returned results are scrutinised for the marks scored in each skill area and any additional concerns are highlighted and addressed.

## **2.6 References, Medical, Finance, Fitness, Terrorist Check & Key Skills Assessment**

References are sought from the last ten years of employment or education. The candidates are given an appointment with Occupational Health; financial checks are carried out by the force Vetting Department.

Candidates are also invited in for fitness testing, uniform fitting and a key skills assessment of their literacy. This is in preparation for their embarkation on the Level 3 and Level 4 NVQ in Policing.

Any concerns from the references are referred to the Employee Resource Manager and there are routes for referral for any other issues in respect of medical or financial issues.

Any candidate that has been the process for more than six months at this point are checked again on PNC to ensure nothing has come to light in the interim.

## **2.7 Offer of Appointment**

This is made conditionally on the outcome of final employer references from the current employer.

From application to appointment is an average of 9 to 12 months dependent on intakes. This is fairly typical of the national picture and considerably quicker than many forces.

## **3.0 Training**

3.1 On appointment student officers spend 10 weeks at Force Head quarters undergoing initial training. They are then posted to the professional development units out on division where they are assigned a Professional Development Unit Tutor.

3.2 Throughout their first two years they return regularly to Force Headquarters where they are required to parade and their knowledge tested to ensure that they have understood and know how to apply legislation etc.

- 3.3 If at any stage an officer is found to be struggling the PDU or one of the tutors will offer 1-2-1 support and advice in accordance with the Regulation 13 procedure at Appendix 1 using a case conference process.
- 3.4 Where performance does not improve or there is an issue with conduct or attendance consideration will be given to dispensing with the student officer's services as part of the Regulation 13 process.

#### **4.0 Outcomes**

- 4.1 By adopting a robust recruitment, selection and training process Bedfordshire Police's retention of student officers has improved considerably. Turnover for 2008/09 is 8%, which represents 6 student officers. Three resigned for conduct reasons, two realised that they were not suited to being a police officer and are now employed as PCSOs and one officer's services were dispensed with in accordance with Regulation 13.

#### **5.0 Recommendations**

- 5.1 Members are asked to note the contents of this report.

*On behalf of:* ACC John Fletcher  
*Author:* Louise Frayne, Assistant Director (People Services)



# **FRAMEWORK FOR MANAGING PEOPLE**

## **REGULATION 13 - STUDENT OFFICER DEVELOPMENT AND DISPENSATION OF SERVICES**

**Issue Date: November 2008**

**Review: November 2011**



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## **1.0 Aims of the Procedure**

### **1.1 Our aim is to:**

- Enable managers to remedy poor performance effectively and in good time;
- Address concerns with the officer identifying clearly where they have not met the required standards, set targets for improvement, offer reasonable support, and if their service is at risk, keep them informed;
- Deal with these matters in a fair and consistent manner and inform the officer of their personal responsibility to meet the required standards.

## **2.0 Key Points**

### **2.1 The early stages of the procedure have a number of common standards, with the aim being: -**

- To discuss and the explain the standards required<sup>1</sup>;
- Review the officer's performance;
- Give reasonable evidence of the way that they are failing to meet the required standards;
- Discuss any problems the officer may be having;
- Offer reasonable training, support and guidance;
- Set reasonable time limits for the officer to achieve and maintain the required standard;
- Advise the officer what action may be taken if they do not meet and maintain the required standards.

### **2.2 Managers will: -**

- Apply standards required fairly and consistently;
- Work collaboratively with the officer and provide support, with guidance from the IPLDP Team, to assist the officer to meet the required standards where reasonably practicable to do so;

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<sup>1</sup> This includes satisfactory completion of the NVQ in Policing. The failure to complete means that the officer cannot be confirmed in post.



- Monitor the performance of the officer;
- Recognise that the failure to perform is not necessarily wilful or deliberate;
- Deal with officers informally on matters, which do not warrant action under the formal procedures;
- Deal with matters which do warrant formal action using this procedure;
- Ensure the officer is given at least 48 hours notice of any case conference to discuss their performance and is told what the issues are and that they have the opportunity to be accompanied by either a Federation representative or another person but not a legal representative;
- All action plans to be given in writing;
- Officers are informed verbally and in writing that where their performance does not improve on a sustained basis their service may be at risk;
- Officers are informed in writing when a decision is taken to refer the matter to the Divisional Commander;
- Officers are informed in writing when a decision is taken by the Divisional Commander to refer the matter the Assistant Director (People Services) for a final case conference;
- The Assistant Director (People Services)<sup>2</sup> advised by a Superintendent will give the Officer in writing ten days notice of a final case conference;
- The Assistant Director (People Services) following the final case conference will give any formal warnings or will advise the officer of the recommendation to the Chief Constable to dispense with the officer's services<sup>3</sup> in writing;
- The Assistant Director (People Services) will advise the officer of their right of appeal against decisions taken under this procedure.

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<sup>2</sup> If the Assistant Director (People Services) is not available then the Director of Corporate Services will chair the final case conference.

<sup>3</sup> The Assistant Director (People Services) will recommend that an officer's services be dispensed with in accordance with Regulation 13 "Subject to the provisions of this regulation, during his period of probation in the force the services of a constable may be dispensed with at any time if the chief officer considers that he is not fitted, physically or mentally, to perform the duties of his office, or that he is not likely to become an efficient or well conducted constable."



### 3.0 Overview of the Procedure

See Appendix 1

### 4.0 When This Procedure Should Be Applied

4.1 This procedure may be applied for various reasons, which include: -

- A pattern of poor performance (including failing to maintain appropriate fitness levels);
- Unacceptable standards of behaviour;
- Unacceptable levels of absence, or becoming unfit to perform normal duties through illness or injury;
- Disciplinary issues subject to certain criteria detailed in **Section 5.0 – Unacceptable Standards of Behaviour.**

4.2 This list is not exhaustive and this procedure may be used for any issue, which casts doubt on an officer's suitability to be confirmed as a Constable.

### 5.0 Unacceptable Standards of Behaviour

5.1 There are some behavioural traits, which are critical to an individual's role as a Police Officer. It is essential that these behaviours are addressed immediately. These behavioural traits include: -

- **Respect for race and diversity** – this may include general behaviour, attitudes, racism, sexism, etc;
- **Dishonesty or lack of integrity** – this may include being less than truthful about such things as their paperwork, contacting victims, and responsibility for certain events;
- **Failing to carry out tasks and duties as directed or ordered;**
- **A pattern of using excess force or incivility to others either within or outside the Force.**



## 6.0 Case Conferences

### 6.1 First Case Conference

<b>The manager<sup>4</sup> will:</b>	<b>The officer is entitled to:</b>
<ul style="list-style-type: none"> <li>• Discuss and the explain the standards required;</li> <li>• Review the officer's performance;</li> <li>• Give reasonable evidence of the way that they are failing to meet the required standards;</li> <li>• Discuss any problems the officer may be having;</li> <li>• Offer reasonable training, support and guidance<sup>5</sup>;</li> <li>• Set reasonable time limits for the officer to achieve and maintain the required standard;</li> <li>• Advise the officer what action may be taken if they do not meet and maintain the required standards;</li> <li>• Make and keep a written record of the issues discussed, decisions made, timescales for improvement etc and give the officer a copy.</li> </ul>	<ul style="list-style-type: none"> <li>• At least 48 hours notice<sup>6</sup> of the case conference being called with reasons why;</li> <li>• Be accompanied by either a Federation representative or another person<sup>7</sup> but not a legal representative;</li> <li>• Give an explanation and to put their side of the matter;</li> <li>• An action plan with SMART objectives;</li> <li>• Reasonable training, support and guidance;</li> <li>• Regular feedback on progress;</li> <li>• Be told if their performance reaches a satisfactory standard.</li> </ul>

<sup>4</sup> It will be for the first line manager to decide, following a pattern of poor performance, whether or not to instigate a case conference or not. Any decision to do so or not should be fully documented within the officer's portfolio. Support and guidance is available from the HR Business Partners on Division and the IPLDP Team

<sup>5</sup> For guidance a five week period is usually given as a timeframe for the officer to improve their performance to the required standards with a recorded review being held at three weeks

<sup>6</sup> Where the officer cannot obtain representation, he/she must give the manager an alternative date within 5 days when they will be able to meet. No further extensions will be granted except in extenuating circumstances.

<sup>7</sup> Another work colleague



## 6.2 Second Case Conference

The manager will, if performance does not improve: -	The officer is entitled to: -
<ul style="list-style-type: none"> <li>• Discuss and the explain where standards have not been met;</li> <li>• Review the officer’s performance;</li> <li>• Give reasonable evidence of the way that they are failing to meet the required standards;</li> <li>• Discuss any problems the officer may be having;</li> <li>• Offer reasonable training, support and guidance;</li> <li>• Set reasonable time limits for the officer to achieve and maintain the required standard;</li> <li>• Advise the officer what action may be taken if they do not meet and maintain the required standards;</li> <li>• Explore any other reasonable options such as redeployment;</li> <li>• Make and keep a written record of the issues discussed, decisions made, timescales for improvement etc and give the officer a copy.</li> </ul>	<ul style="list-style-type: none"> <li>• Reasonable notice (normally 48 hours) in writing of: -                             <ul style="list-style-type: none"> <li>- the date of the meeting</li> <li>- the issues to be discussed</li> <li>- the fact that their service may be at risk</li> </ul> </li> <li>• The opportunity to be represented by a Federation representative or another person but not a legal representative;</li> <li>• Postpone the meeting to another reasonable time within 5 days where representation is not available<sup>8</sup>;</li> <li>• Give any explanation and to put their side of the matter<sup>9</sup>;</li> <li>• An action plan within 5 days confirming the issues and standards required;</li> <li>• Regular feedback on progress;</li> <li>• Be told if and when their work reaches a satisfactory level.</li> </ul>

<sup>8</sup> With good communication there should be no need for any delay. More than a single postponement would be unusual.

<sup>9</sup> Where an officer does not propose an alternative date the case conference will proceed either in absentia, with the officer present but without representation or managers may consider a written statement from the officer.



### 6.3 Final Case Conference

The Divisional Commander or a nominated representative can request that the Assistant Director (People Services) hold a final case conference to consider whether the services of an officer should be retained. The Divisional Commander must do this within five days of receiving management’s report.

<b>The Assistant Director (People Services)<sup>10</sup> will:</b>	<b>The officer is entitled to:</b>
<ul style="list-style-type: none"> <li>• Review the management papers<sup>11</sup> and the response from the officer;</li> <li>• Consider the evidence given by both parties;</li> <li>• Explore any problems the officer may be having;</li> <li>• Make a recommendation to the Chief Constable whether the officer’s performance is up to standard and whether their services should be retained;</li> <li>• Determine a course of action, which will take into account the needs of Bedfordshire Police and the interests of the officer (where reasonably practicable to do so);</li> <li>• Make and keep a written record of the decision made and give a copy to the officer;</li> <li>• Advise the officer of their right to appeal within 14 days of receipt of letter confirming recommendation.</li> </ul>	<ul style="list-style-type: none"> <li>• 10 days notice of a final case conference in writing with: - - the date of the final case conference - the issues to be discussed - management papers; - the fact that a recommendation may be made to the Chief Constable to dispense with services</li> <li>• the opportunity to be represented by a Federation representative or another person but not a legal representative;</li> <li>• postpone the final case conference by five days if their representative is not available<sup>12</sup>;</li> <li>• give an explanation and put their side of the matter;</li> <li>• a letter within 5 days confirming the issues considered, the decision made and any right of appeal.</li> </ul>

<sup>10</sup> The Assistant Director (People Services) will be advised by a Superintendent. Where possible the Superintendent will be from an alternative division and will have experience of managing probationers.

<sup>11</sup> Management papers will have been given to the officer with the letter from the Assistant Director (People Services) calling a final case conference 10 days before the date of the final case conference. The officer must ensure that any papers they wish to rely on for the final case conference reaches the Assistant Director (People Services) no later than 5 days before the final case conference.

<sup>12</sup> With good communication there should be no need for any delay. More than a single postponement would be unusual and the Assistant Director (People Services) reserves the right to hear the final case conference in absentia where delays are considered unreasonable.



## 6.4 Bespoke Final Case Conference

On occasions it may be necessary in the interests of the service for a Divisional Commander or their nominated representative to request that the Assistant Director (People Services) hold a bespoke final case conference. The Divisional Commander must do this within five days of receiving the management report. If the Assistant Director (People Services) concurs the process will be as follows: -

<b>The Assistant Director (People Services)<sup>13</sup> will:</b>	<b>The officer is entitled to:</b>
<ul style="list-style-type: none"> <li>• Review the management papers<sup>14</sup> and the response from the officer;</li> <li>• Consider the evidence given by both parties;</li> <li>• Explore any problems the officer may be having;</li> <li>• Make a recommendation to the Chief Constable whether the officer's performance is up to standard and whether their services should be retained;</li> <li>• Determine a course of action, which will take into account the needs of Bedfordshire Police and the interests of the officer (where reasonably practicable to do so);</li> <li>• Make and keep a written record of the decision made and give a copy to the officer;</li> <li>• Advise the officer of their right to appeal within 14 days of receipt of letter confirming recommendation.</li> </ul>	<ul style="list-style-type: none"> <li>• 10 days notice of a final case conference in writing with: -                             <ul style="list-style-type: none"> <li>- the date of the final case conference</li> <li>- the issues to be discussed</li> <li>- management papers;</li> <li>- the fact that a recommendation may be made to the Chief Constable to dispense with services</li> </ul> </li> <li>• the opportunity to be represented by a Federation representative or another person but not a legal representative;</li> <li>• postpone the final case conference by five days if their representative is not available<sup>15</sup>;</li> <li>• give an explanation and put their side of the matter;</li> <li>• a letter within 5 days confirming the issues considered, the decision made and any right of appeal.</li> </ul>

<sup>13</sup> The Assistant Director (People Services) will be advised by a Superintendent. Where possible the Superintendent will be from an alternative division and will have experience of managing probationers.

<sup>14</sup> Management papers will have been given to the officer with the letter from the Assistant Director (People Services) calling a final case conference 10 days before the date of the final case conference. The officer must ensure that any papers they wish to rely on for the final case conference reaches the Assistant Director (People Services) no later than 5 days before the final case conference.

<sup>15</sup> With good communication there should be no need for any delay. More than a single postponement would be unusual and the Assistant Director (People Services) reserves the right to hear the final case conference in absentia where delays are considered unreasonable.



## 6.5 Right to Appeal

The Chief Constable will hear the appeal:	The officer is entitled to:
<ul style="list-style-type: none"> <li>• Consider the grounds of appeal<sup>16</sup>;</li> <li>• Determine any disputes about the procedure;</li> <li>• Decide whether to uphold the recommendation of the Assistant Director (People Services) or not;</li> <li>• Confirm the decision in writing within five days;</li> <li>• Where the recommendation is to dispense with the student officer's services give 28 days notice or consider paying in lieu of notice.</li> </ul>	<ul style="list-style-type: none"> <li>• Put grounds of appeal and bring evidence relevant to them.</li> </ul>

## 7.0 Suspension and Reinstatement of Developmental Processes

7.1 Where a developmental process is suspended, it may be reinstated at any stage during the probationary period should any further issues arise. The process will continue from the point or stage where it was suspended. This is the case whether the poor performance, behaviour, attendance or issues are the same as that previously recorded or not.

## 8.0 Sickness, Absence or Other Barriers to the Case Conference Process

8.1 Wherever possible, the case conference process should proceed within the agreed timescales.

8.2 Officers absent due to illness should be informed of the case conference dates and invited to attend or to nominate a representative

<sup>16</sup> The appeal will examine the grounds of appeal (rather than rehear the entire case) and will be on one or more of the following grounds: -

- **procedure** – a failure to follow the procedure had a material effect on the decision made
- **the facts of the case** – the officer can bring evidence directly relevant to disputed facts as set out in the grounds of appeal. Otherwise the facts at the earlier stage will be accepted.
- **sanction/warning/action** – too severe given the circumstances of the case
- **new evidence** – the appeal is not to be used to re-argue the case with different evidence. If genuine new evidence has come to light after the original final case conference, the Assistant Director (People Services) should have the opportunity to evaluate the evidence and review their decision.



to attend on their behalf e.g. Police Federation. If they decline to attend or to nominate a representative then the case conference will go ahead in their absence.

- 8.3 Where an officer's absence is preventing the timely progression of developmental activities then consideration should be given to warning the officer that the continuing absence may, in itself, lead to their services being dispensed with. The procedure may then change to that for dealing with an unacceptable level of absence.
- 8.4 The absence of an officer from work with stress related conditions should not prevent the process. If necessary, advice should be sought from the Assistant Director (People Services) who may decide to initiate a bespoke process.
- 8.5 If the officer concerned lodges a grievance or complaint consideration should be given to suspend the process or not. The lodging of a grievance or complaint does not automatically infer that the process will be suspended. Advice should be sought from the Assistant Director (People Services) if the grievance or complaint directly impacts on the issues addressed in the case conference.
- 8.6 Where a five week developmental plan period includes training courses, the length of the course will be discounted from that period.
- 8.7 Annual leave will only be discounted from the 5 week period if the leave was approved prior to the commencement of the Developmental Process or has been agreed by the case conference panel.
- 8.8 For part-time officers, each 5 week period shall be recalculated to provide the equivalent number of working days.

## **9.0 Pay and Notice Requirements**

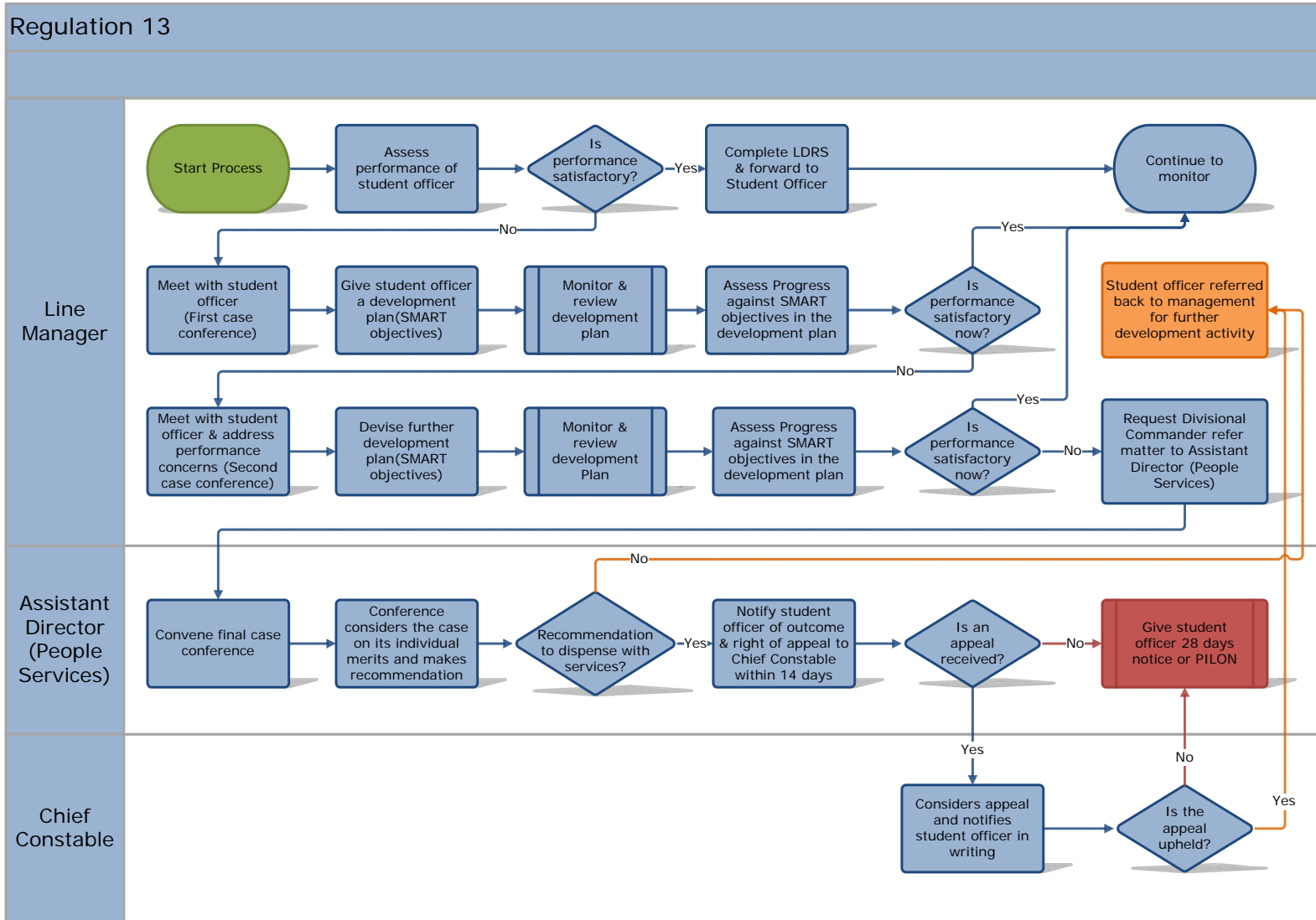
- 9.1 Where notice is served by the Chief Constable to dispense with the services of an officer, the officer is entitled to 28 days notice in writing.
- 9.2 An officer may choose to resign after being told that a recommendation to dispense with services is being made, following a case conference, and Bedfordshire Police will allow the officer to give 28 days notice of resignation.
- 9.3 An officer is entitled to resign after being informed by the Chief Constable that their services will be dispensed with under Regulation 13. If they choose to do so then they will be permitted to resign and still be entitled to pay up to the date originally notified



- 9.4 In any period of 28 days notice, remaining time owed and leave must be taken. For security purposes it is strongly recommended that an officer be highly restricted during their notice period or placed on garden leave. Where placed on garden leave the officer's warrant card should be requested by the line manager.
- 9.5 The officer should return all uniform, warrant card and other equipment provided by Bedfordshire Police in good condition on the last day of notice.



Appendix 1





### **Regulation 13 Appeal Form**

You have the right to appeal against the recommendation to dispense with your services.

You have 14 working days from the day you are notified in writing of the decision to lodge an appeal. Send the form to the Chief Constable if you are appealing against a decision to dispense with your services.

Appeal hearings are indeed to examine your grounds of appeal – not to rehear the whole case. It is therefore very important that you state the grounds of your appeal fully and clearly. Any matters that you do not mention now will not normally be considered at the appeal hearing. Your grounds of appeal should be detailed enough to form the agenda and case statement for the appeal hearing.

If you belong to the Federation we recommend that you get help from them before completing the form.

Normally, officers wish to appeal on one or more of the following grounds:-

1. There was a breach of procedure which had a material effect on the outcome.
2. The facts of the case do not support the recommendation made.
3. The sanction was too severe.
4. Some other substantial reason.

The form is organized around these grounds of appeal. You must use it in order to lodge any appeal you wish to make. You can, of course use additional sheets if you run out of space.

#### **About you and your job**

1.	Your Name:
2.	Your collar number:
3.	The name of the manager who made the recommendation to the Chief Constable you are appealing against:
4.	Your home address:
5.	Your contact telephone number:

**Breach of Procedure**

6. I am appealing on the grounds that the procedure was breached and that this had a material effect on the decision that was made: (please tick)

Yes:

No:

7. If you ticked “yes”, please state:  
How was the procedure breached?  
What effect do you believe this had on the outcome of the Regulation 13 process....

**The facts of the case**

8. I am appealing on the grounds that the facts of the case do not support the recommendation to dispense with my services: (please tick)

Yes:

No:

9. If you ticked "yes, please state:

Which parts of the case do you dispute?

How does the conclusion of the hearing run counter to the evidence heard?

How is the decision unfair?

**The action take was too severe**

10. I am appealing on the grounds that the action taken was too severe in the circumstances of the case: (please tick)

Yes:

No:

11. If you ticked "yes", please state:

What aspect of the sanction or warning is too severe?

What leads you to believe it was too severe?

What sanction or warning you think fair?

**Some other substantial reason**

12. I am appealing for a substantial reason other than those set out earlier: (please tick)

Yes:

No:

13. If you ticked "yes", please state:

The grounds of your appeal, giving enough detail to allow management to respond to it.....

14.	Your signature:
15.	Date of signature:

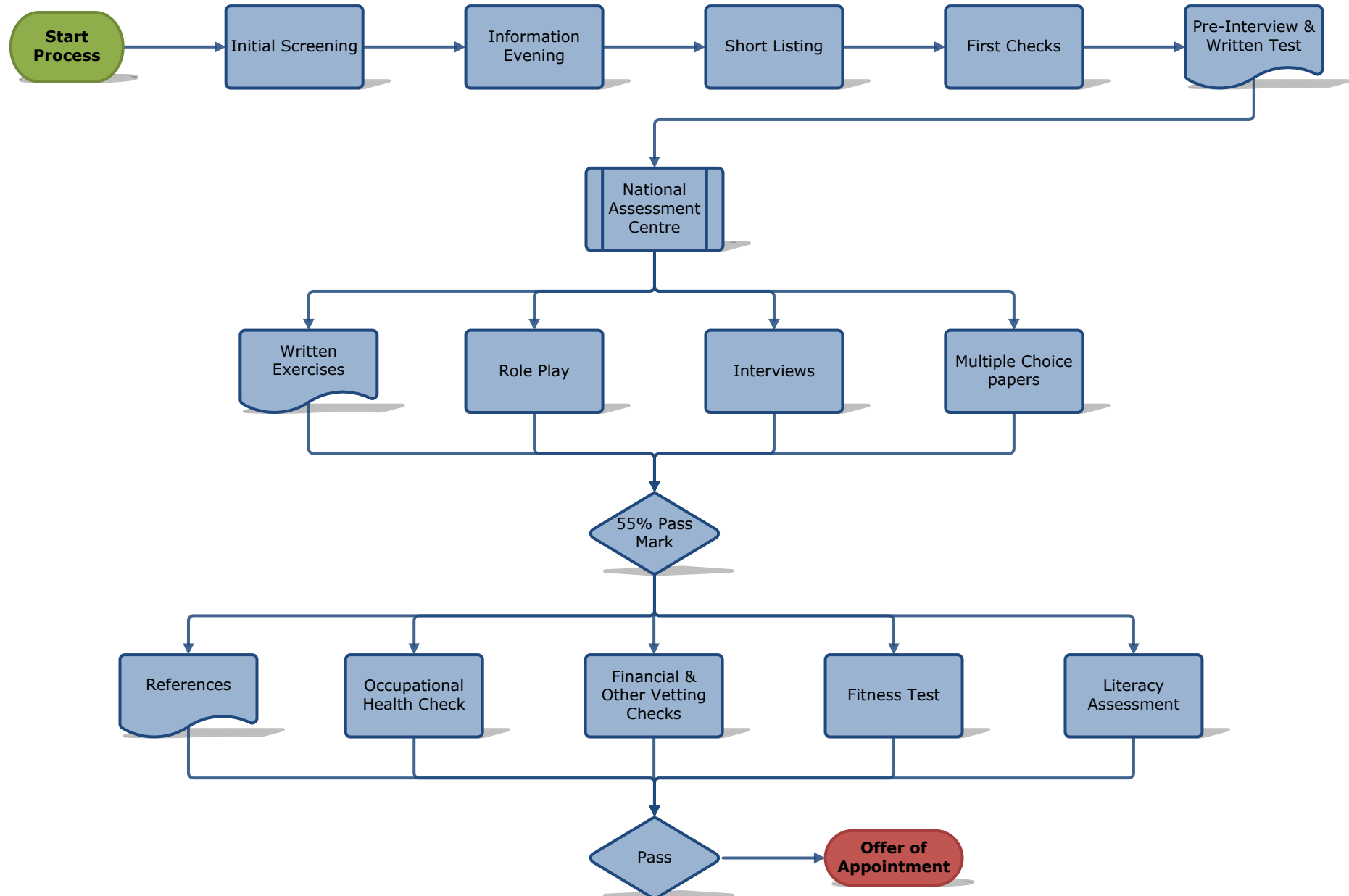
**The next steps**

The Chief Constable hears appeals against recommendations to dispense with an officers services.

In some cases where the grounds of appeal are very complex, the Force may need to clarify them with you. They may even decide that it is best to rehear the case completely. If so, you will be told in writing in good time before the hearing.



# Police Officer Recruitment Process





**Chief Constable's Report**  
**On**  
**Professional Standards Issues**



**APRIL - SEPTEMBER 2008**

**Complaints and Professional Standards Committee**  
**26<sup>th</sup> November 2008**  
**Item 6**

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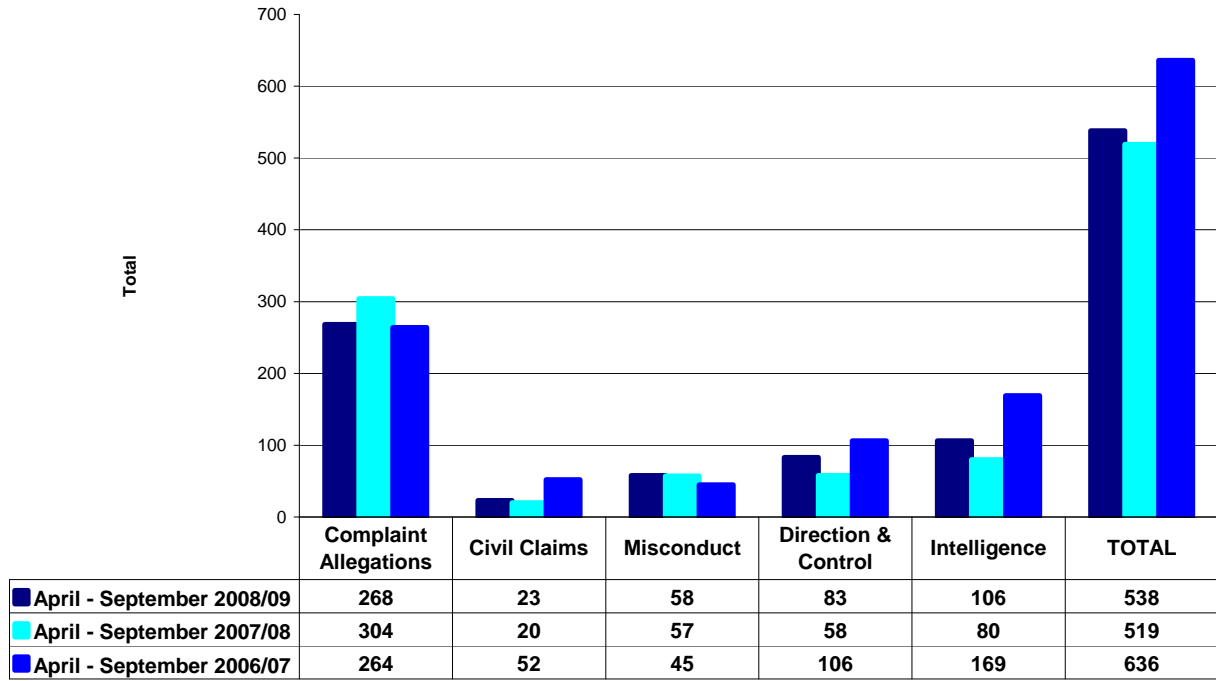
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**SECTION 1  
PSD Workload**

**Workload Management**

**PSD Workload as of 30th September 2008**



- Above chart relates to single recorded allegations in each category and not cases
- Overall workload has increased by 4% compared to last year and decreased by 15% on the year before
- Intelligence reporting has increased mainly as a result of the confidential email system & reports from PSD 'Taylor' staff
- Since June 2007 PSD has recorded messages of Appreciation; between 1<sup>st</sup> April and 30<sup>th</sup> September 2008 a total of 125 were recorded.

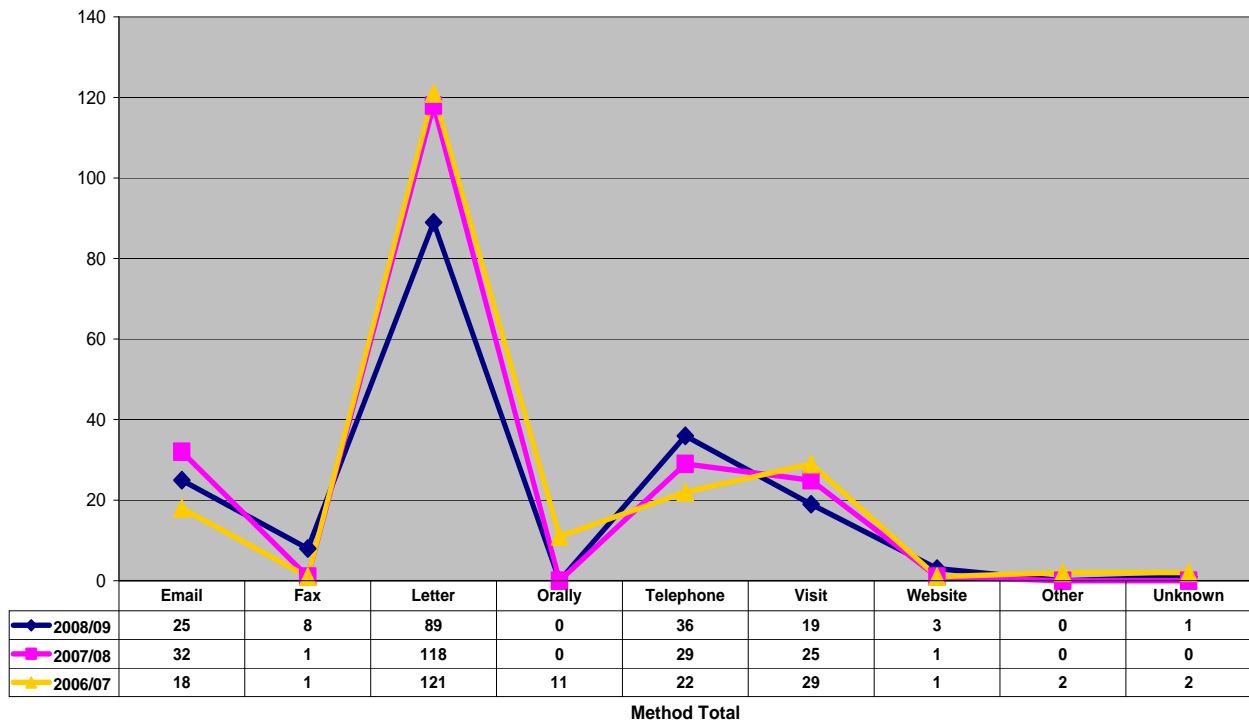
**Initiatives & Actions to Improve Performance**

Re-launched marketing of the confidential email system, together with wider and more prominent availability

PSD staff on divisions offering help and advice (Taylor Pilot)

## Complainant Access to PSD

Method of Access to PSD by Complainants



- Reporting by letter has decreased but remains the most common method of making a complaint
- Telephone reporting has increased as has making a complaint via the website.

Compared to last year:

- Letters decreased by 25%
- Emails decreased 22%
- Telephone increased by 24%

**SECTION 2**  
Analysis of complaint cases

**Complaint cases**

Percentage change in the tables: ■ Positive ■ Negative

**Table 1 – Complaint Cases Received in Force**

	2008/09	2007/08	2006/07
<b>Cases Received in Force</b>	169	200	195
<b>% Change</b>	- 15%		+3%
<b>Allegations Received in Force</b>	259	308	255
<b>% Change</b>	- 16%		+21%

- Following the rise in 07/08 the number of cases received this period has significantly decreased; this is also true for allegations received.

**Table 2 –Complaint Cases & Allegations per OIS Incidents**

	2008/09	2007/08	2006/07
<b>Total Incidents</b>	97,011	99,283	96,358
<b>Cases Per Incidents</b>	0.002	0.002	0.002
<b>% Change</b>	0		0
<b>Allegations Per Incidents</b>	0.003	0.003	0.003
<b>% Change</b>	0		0

- The number of cases and allegations received has remained stable when measuring against the number of recorded incidents attended by Bedfordshire Police.

**Table 3 –Complaint Cases & Allegations per 1000 Population**

	2008/09	2007/08	2006/07
<b>Cases Per 1000 Population</b>	0.0003	0.0004	0.0003
<b>% Change</b>	- 25%		+ 33%
<b>Allegations Per 1000 Population</b>	0.0004	0.0005	0.0004
<b>% Change</b>	- 20%		+ 25%

Population is based on 2001 Census – 565961

- Measuring complaint cases and allegations against per 1000 population has shown little change.

**Table 4– Complaint Cases Finalised of those Received in Force during the period**

	2008/09	2007/08	2006/07
<b>Cases Finalised</b>	73	74	57
<b>% Change</b>	0		+ 30%

- Complaint cases received decreased by 31 to 169 with 73 of these being finalised in the same period, a decrease of 1 on last year and increase of 16 on 2006/07<sup>1</sup>

**Table 5 – All Complaint Cases Finalised**

	2008/09	2007/08	2006/07
<b>Cases Finalised</b>	193	206	154
<b>% Change</b>	- 6%		+ 34%

- Complaint cases closed in this period is 193, a decrease of 13 on last year and an increase of 39 compared to 2006/07.
- In summary 169 Complaint Cases have been received since 1<sup>st</sup> April 2008 and 193 closed.

### **Initiatives & Actions to Improve Performance**

Investigation plans

Case workers

Proportionate investigations

Law Inputs

Force Wide News (Dear Martin Columns)

<sup>1</sup> Refers to tables 1 and 4

**SECTION 3**  
**Analysis of allegations**

***Complaint Allegations Recorded***

The table below provides a breakdown of complaint allegations recorded during this period compared to the same period over the last two years. The totals will differ from those in section 2 which refers to allegations received and complaint cases; a case may contain a number of allegations.

**Table 6 – Complaint Allegations Recorded**

<b>Code</b>	<b>Allegation Categories</b>	<b>Apr–Sept 08/09</b>	<b>Apr–Sept 07/08</b>	<b>Apr–Sept 06/07</b>
<b>A</b>	Serious non sexual assault	2	0	0
<b>B</b>	Sexual assault	0	0	0
<b>C</b>	Other assault	12	26	22
<b>D</b>	Oppressive conduct or harassment	16	31	15
<b>E</b>	Unlawful/unnecessary arrest or detention	7	8	13
<b>F</b>	Discriminatory behaviour	6	10	9
<b>G</b>	Irregularity in evidence/perjury	10	4	3
<b>H</b>	Corrupt practice	0	1	1
<b>J</b>	Mishandling of property	2	10	4
<b>K</b>	Breach code A PACE	1	1	2
<b>L</b>	Breach code B PACE	16	7	6
<b>M</b>	Breach code C PACE	12	8	22
<b>N</b>	Breach code D PACE	0	0	0
<b>P</b>	Breach code E PACE	0	0	0
<b>Q</b>	Lack of fairness & impartiality	17	26	7
<b>R</b>	Multiple or unspecified breaches	0	1	1
<b>S</b>	Other neglect or failure in duty	75	84	68
<b>T</b>	Other irregularity in procedure	17	26	6
<b>U</b>	Incivility, impoliteness and intolerance	60	52	57
<b>V</b>	Traffic irregularity	1	3	3
<b>W</b>	Other	8	2	18
<b>X</b>	Improper disclosure of information	6	3	7
<b>Y</b>	Other sexual conduct	0	1	0
<b>TOTAL</b>		<b>268</b>	<b>304</b>	<b>264</b>

- Complaint allegations recorded has decreased by 36 (12%) compared to last year yet increased by 4 on the year before (1.5%).

- The top two allegations recorded (highlighted in yellow) have been consistent over the past three years; although 'other neglect of duty' has decreased by 11%.
  
- Categories with the biggest increases (highlighted in red) this year compared to last:
  - L - 'Breach Code B'
  - T - 'Other Irregularity in Procedure'
  
- Categories with the biggest decreases (highlighted in green) this year compared to last:
  - C - 'Other Assault'
  - D - 'Oppressive Conduct or Harassment'
  - T – 'Other irregularity in procedure'

### **Initiatives & Actions to Improve Performance**

Research into 'Other neglect or failure in duty' identified the main issue is *not keeping people informed*, this has been acknowledged as a cause for concern for the Force and is currently being managed by the Service Improvement Group.

Recommendations from 'Breach Code C PACE' research, custody managers' seminars and custody forums together with a variety of initiatives have contributed to the decrease in complaint allegations. It is anticipated that this work has also impacted on the 'Unlawful / Unnecessary Arrest' allegations.

'Breach Code B PACE' and Incivility have been identified as emerging trends and are currently being monitored by PSD.

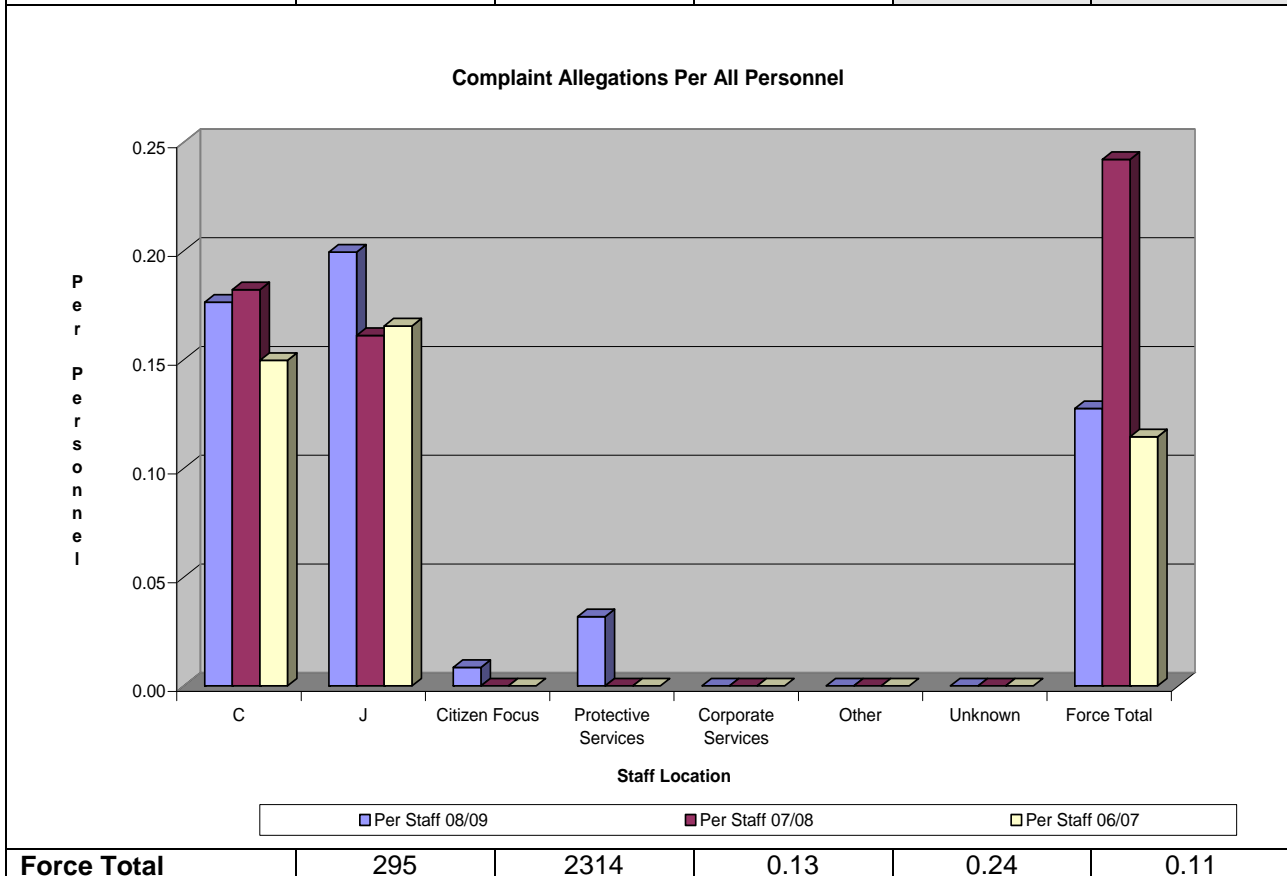
In respect of 'Incivility' a profile is being constructed to assist identification of trigger points

## Complaint Allegations per Staff – Staff Location

The tables below show the 2008/09 recorded data by staff location; this is the number of complaint allegations **not** staff or cases. The total allegations in table 7 will not be equal to the total in table 6 as one allegation can be counted more than once if it involves staff from various staff locations.

Table 7 Complaint Allegations per Force Headcount – All Personnel

Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
<b>C (Luton)</b>	91	516	0.18	0.18	0.15
<b>J (County)</b>	140	702	0.20	0.16	0.17
<b>Citizen Focus</b>	2	236	0.01		
<b>Protective Services</b>	18	565	0.03		
<b>Corporate Services</b>	0	268	0		
<b>Other</b>	0	27	0		
<b>Unknown</b>	44	0	0		



In 2007 the Force had a change of structure which saw the creation of Citizen Focus, Protective Services and Corporate Services. Due to the change in structure the only comparison that can be made in the following tables is that of the two territorial divisions and the force total.

- Complaint allegations per staff at Luton have remained stable whilst County has seen a small increase.

- The number of complaint allegations per force headcount has significantly decreased compared to last year.

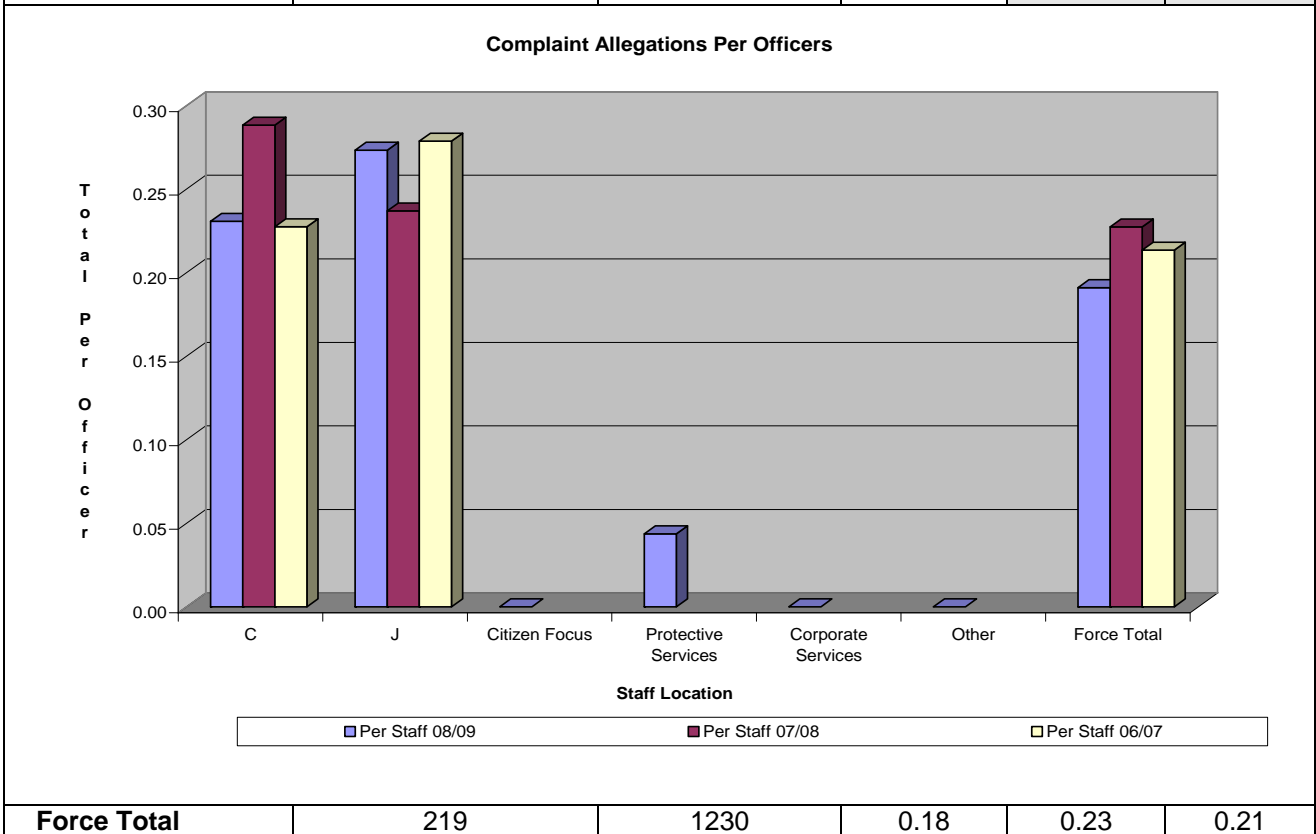
Table 8 Breakdown of Complaint Allegations per Protective Services Units – All Personnel

Staff Location	Allegations 08/09
Dogs	1
Economic Crime Unit (ECU)	4
Firearms Support Unit (FSU)	5
Major Investigation Team (MIT)	1
Public Protection Unit (PPU)	1
Professional Standards Department (PSD)	2
Special Branch (ports)	1
Roads Policing	3

The following four tables provide a breakdown of total allegations by staff type; an allegation can be counted within and / or across the tables due to staff type and location. The overall total of the tables below will not equate to table 7 as the 44 unknown have not been identified

Table 9 Complaint Allegations per Force Headcount – Officers

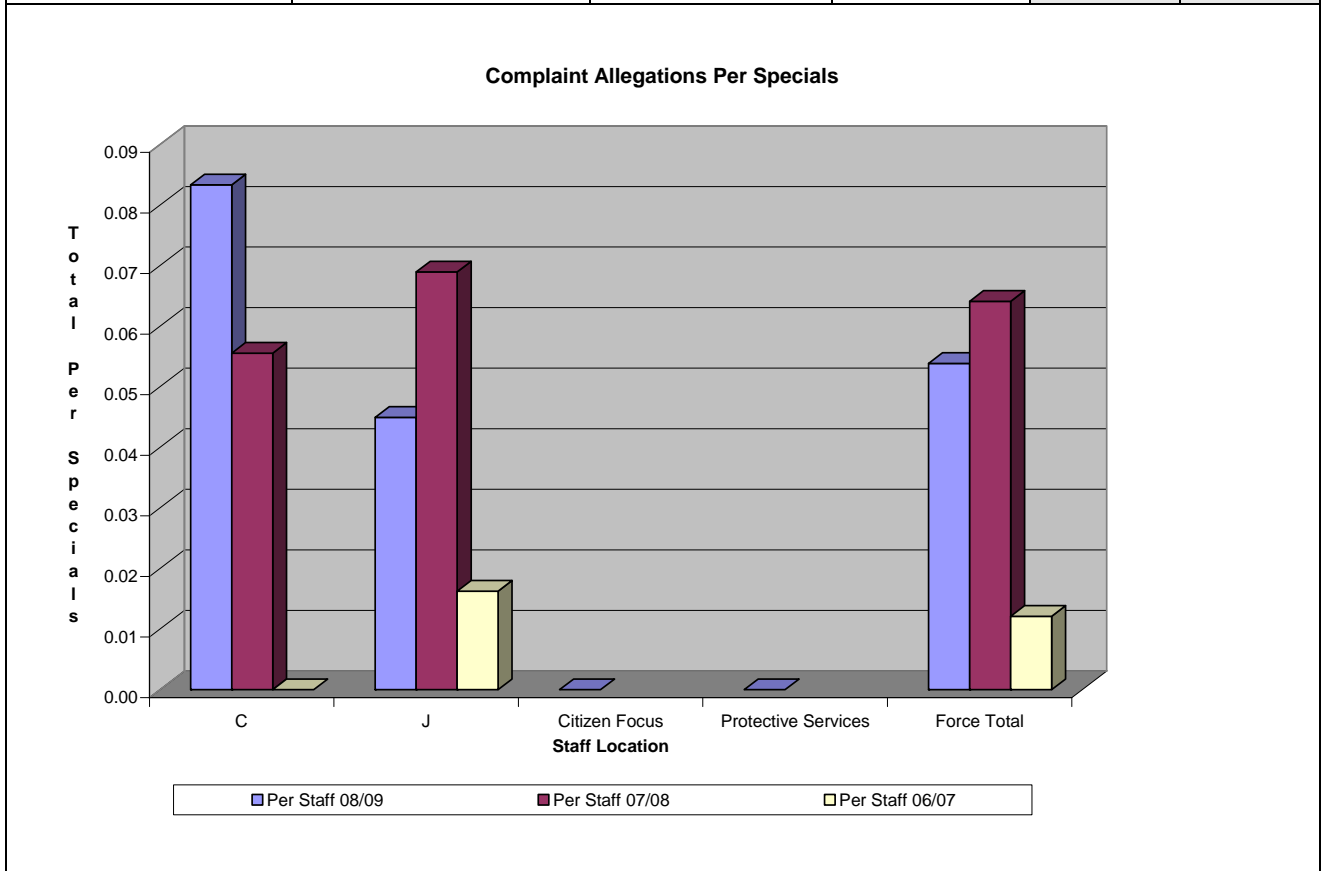
Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	81	351	0.23	0.29	0.23
J (County)	123	450	0.27	0.24	0.28
Citizen Focus	0	24	0		
Protective Services	15	343	0.04		
Corporate Services	0	47	0		
Other	0	15	0		



- Complaint allegations per force headcount of officers have decreased this year compared to last year.
- Complaint allegations per staff at Luton have decreased whilst County has seen an increase.

**Table 10 Complaint Allegations per Force Headcount – Specials**

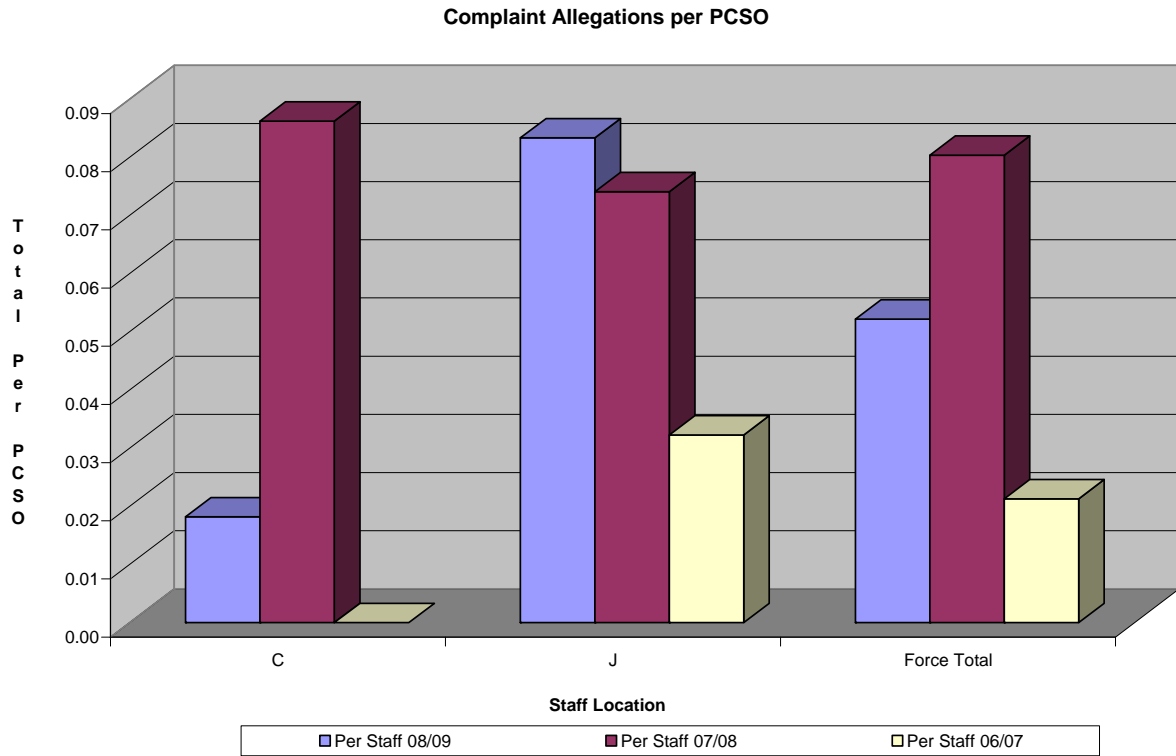
Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
<b>C (Luton)</b>	3	36	0.08	0.06	0.0
<b>J (County)</b>	4	89	0.04	0.07	0.02
<b>Citizen Focus</b>	0	2	0		
<b>Protective Services</b>	0	3	0		



<b>Force Total</b>	<b>7</b>	<b>130</b>	<b>0.05</b>	<b>0.06</b>	<b>0.01</b>
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Table 11 Complaint Allegations per Force Headcount – PCSO

Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	1	55	0.02	0.09	0
J (County)	5	60	0.08	0.07	0.03

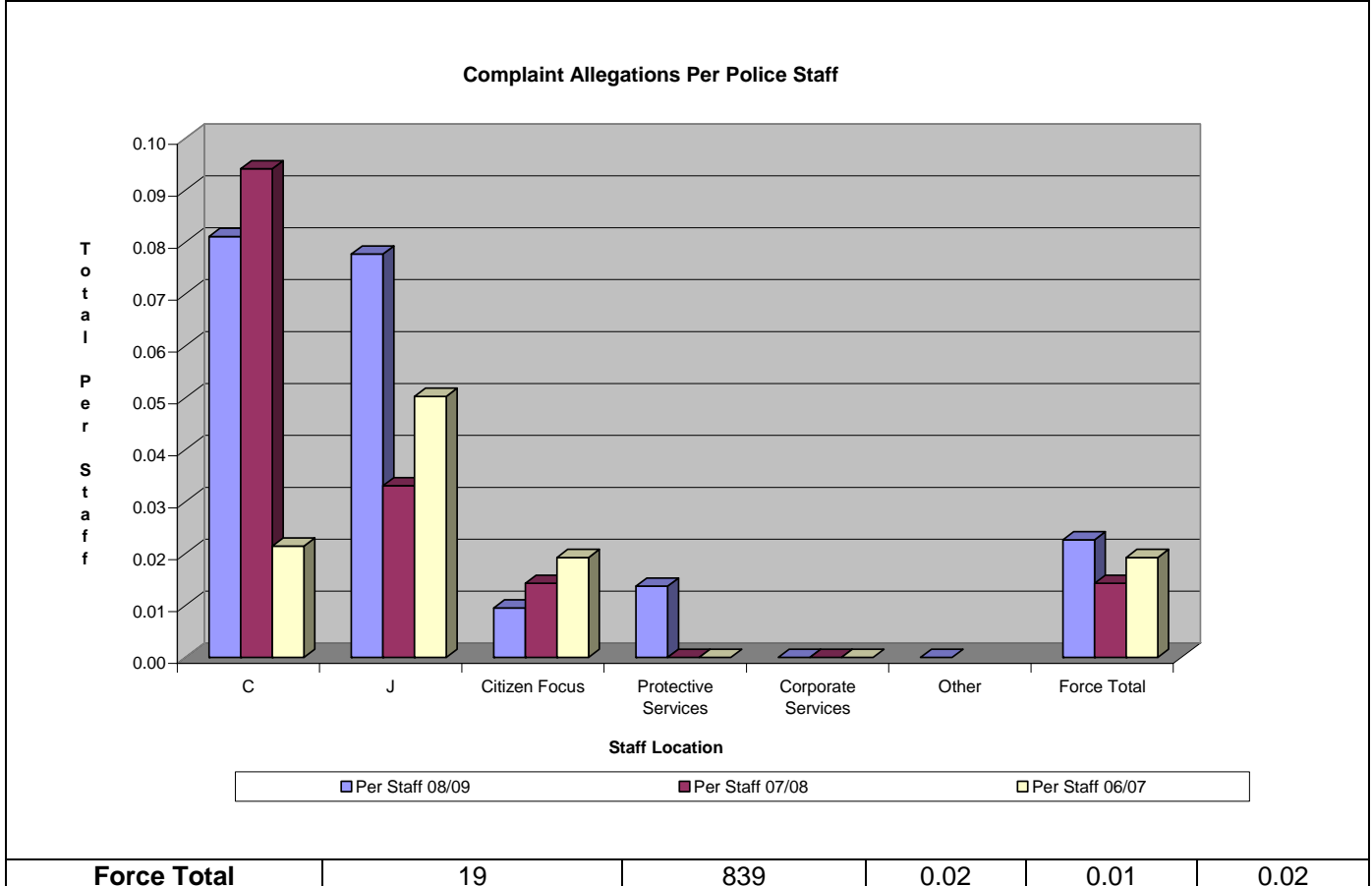


<b>Force Total</b>	6	115	0.05	0.08	0.02
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- Complaint allegations per PCSO's increased significantly last year compared to the year before, this year has seen a decrease.
- County division has remained stable compared to last year but Luton has decreased, but the actual numbers are small.
- Analytical work carried out for the Eastern Region shows that Bedfordshire have the lowest number of complaints per PCSO in the region.

Table 12 Complaint Allegations per Force Headcount – Police Staff

Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	6	74	0.08	0.09	0.02
J (County)	8	103	0.08	0.03	0.05
Citizen Focus	2	210	0.01		
Protective Services	3	219	0.01		
Corporate Services	0	221	0		
Other	0	12	0		



- Complaint allegations against police staff have increased for County division but remained stable for Luton and the force, but the numbers are small

The fluctuation within the data tables above can be explained by the following facts:

- The implementation of the IPCC brought new changes which saw an increase in complaints due to PSD recording against all staff types, an increase in complainant types, methods to complain and recording practices
- 2006 saw the introduction of PCSO's having certain Police Powers

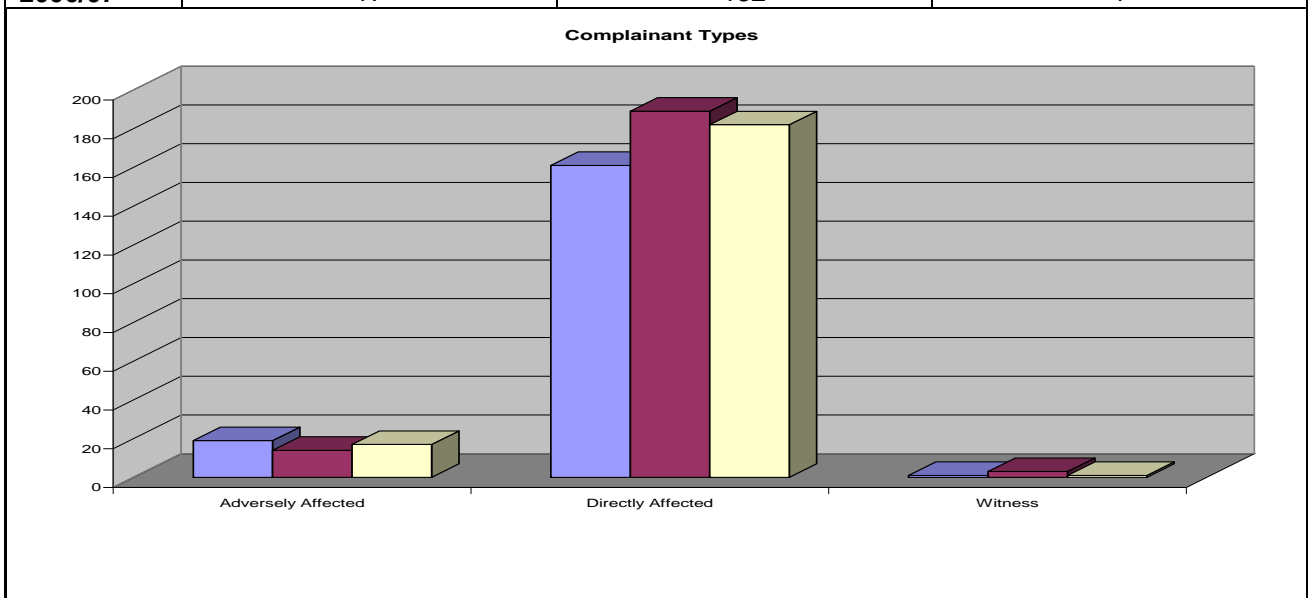
**SECTION 4**  
Analysis of social factors relating to complainants characteristics

Percentage change in the tables: ■ Positive ■ Negative

The table below gives a breakdown of complainant types

**Table 13 Complainant Types**

	Adversely Affected	Directly Affected	Witness
<b>2008/09</b>	19	161	1
<b>2007/08</b>	13	191	3
<b>2006/07</b>	17	182	1



- Number of complainants have decreased compared to the previous two years
- Majority of complainants are those directly affected; also have the largest decrease
- Adversely affected are parents of minors or the partner of the directly affected individual

**Initiatives & Actions to Improve Access to PSD**

**Website** – A complaint form can be completed and submitted into PSD

**Signposts** - Community representatives act as a main contact

**Divisions** – IPCC leaflets and complaint forms available at enquiry offices

Table 14 Gender of complainants

	2008/09	2007/08	2006/07
<b>Males</b>	117	131	125
<b>% Change</b>	<b>-11%</b>		<b>+ 5%</b>
<b>Females</b>	63	75	73
<b>% Change</b>	<b>- 16%</b>		<b>+ 3%</b>
<b>Unknown</b>	1	1	2

- Gender of complainants is not reflective of the population
- 2001 Bedfordshire Census shows the population gender is 50/50 although 65% of complainants are males, this has been consistent over the last three years

Table 15 Age of complainants

	2008/09	2007/08	2006/07
<b>0-19</b>	6	10	7
<b>% Change</b>	<b>- 40%</b>		<b>+ 43%</b>
<b>20-29</b>	32	31	30
<b>% Change</b>	<b>+ 3%</b>		<b>+ 3%</b>
<b>30-39</b>	41	58	42
<b>% Change</b>	<b>- 29%</b>		<b>+ 38%</b>
<b>40-49</b>	48	46	52
<b>% Change</b>	<b>+ 4%</b>		<b>- 12%</b>
<b>50-59</b>	19	19	24
<b>% Change</b>	<b>0</b>		<b>- 21%</b>
<b>60+</b>	14	13	12
<b>% Change</b>	<b>+ 8%</b>		<b>+ 8%</b>
<b>Unknown</b>	21	30	33
<b>% Change</b>	<b>- 30%</b>		<b>- 9%</b>

- The age of complainants has fluctuated over the last three years

Table 16 Ethnicity of complainants

	2008/09	2007/08	2006/07
<b>White</b>	113	138	139
<b>% Change</b>	<b>- 12%</b>		<b>- 1%</b>
<b>Black</b>	16	19	26
<b>% Change</b>	<b>- 16%</b>		<b>- 17%</b>
<b>Asian</b>	24	26	18
<b>% Change</b>	<b>- 8%</b>		<b>+ 44%</b>
<b>Other</b>	4	3	1
<b>% Change</b>	<b>+ 33%</b>		<b>+ 200%</b>
<b>Unknown</b>	24	21	16
<b>% Change</b>	<b>+ 14%</b>		<b>+ 31%</b>

- 2001 Bedfordshire Census shows the population breakdown of ethnic groups as:
  - 86% White – 62% of complainants are from the White community
  - 8% Asian - 13% of complainants are from the Asian community
  - 3% Black – 9% of complainants are from the Black community

#### **Initiatives & Actions to Improve Access & Confidence in the Complaints System**

A complaint form can be found in various languages on the website

The form can be completed and submitted into PSD electronically

Community representatives act as contact points– complaint packs in various languages

Independent Advisory Group members meet with PSD on a regular basis

Complainant details such as ethnicity, age and gender are collated at the time of the complainant making the complaint and later at case conclusion via a complainant survey.

Main allegation made by complainants without a previous conviction is 'Other Neglect of Duty' for those with a previous conviction it is 'Incivility and 'Other Assault'; these are consistent compared to last year. It is difficult at this stage to identify any patterns as there are a high number of unknowns.

#### **Initiatives & Actions to Improve Data Recording for Previous Convictions**

The convictions field within the complaints and discipline database has now been made mandatory to improve recording and enhance the ability to ascertain any trends.

Apart from 'unknown' which is the second largest group, individuals within 'non- manual' employment are the majority of complainants and their main allegation is 'Other neglect or failure in duty'.

**Initiatives & Actions to Improve Data Recording for Employment**

A quality of service survey which includes personal information is sent to all complainants

**SECTION 5**  
Analysis of social factors relating to subjects characteristics

Percentage change in the tables: ■ Positive ■ Negative

This section is based on the number of staff<sup>2</sup> who has received a complaint against them during this period; each subject is counted once regardless of total allegations or cases.

The number of subjects has decreased by 14% (45) compared to last year.

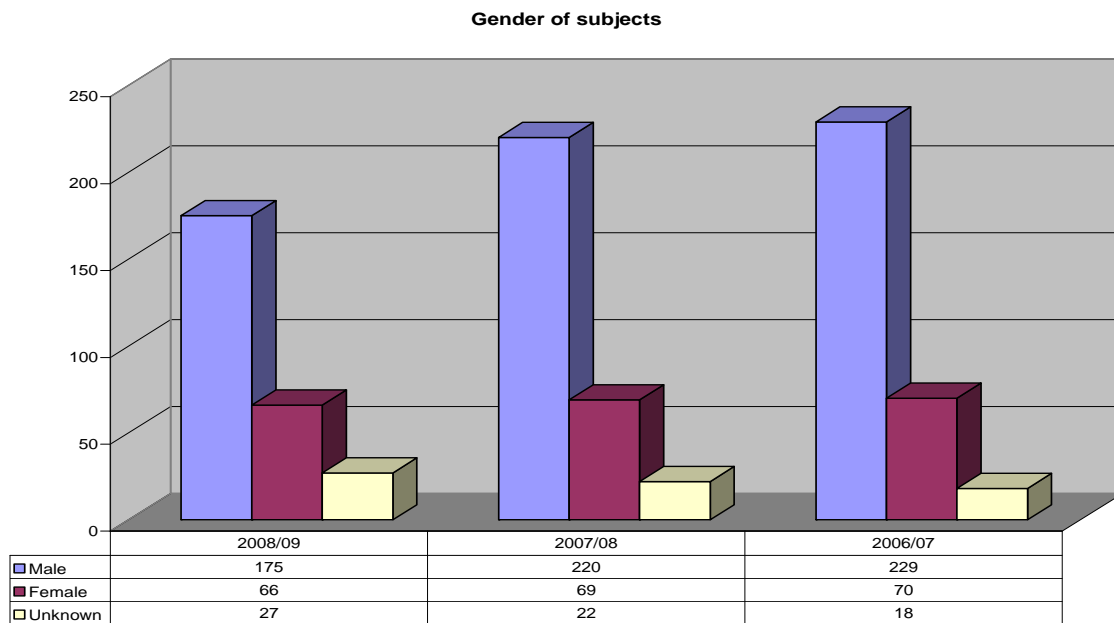


Table below provides a breakdown of gender and staff type

**Table 17 Gender & Staff Type of subjects**

Gender	Staff Type	2008/09	2007/08	2006/07
<b>Male</b>	<b>Community Support</b>	3	5	0
	<b>Police Staff</b>	7	13	2
	<b>Officers</b>	162	194	224
	<b>Special Constables</b>	2	6	2
	<b>Unknown</b>	0	2	1
<b>Female</b>	<b>Community Support</b>	4	5	1
	<b>Police Staff</b>	11	13	16
	<b>Officers</b>	47	51	53
	<b>Special Constables</b>	3	0	0
<b>Unknown</b>	<b>Officer</b>	27	22	18
<b>Total</b>		266	311	317

<sup>2</sup> Staff with a complaint is referred to as a subject

- Workforce composition (NMIS) compared to those subject to complaints is:
  - 53% police officers - 17% subjects
  - 36% police staff - 2% subjects
  - 6% specials - 4% subjects
  - 5% PCSO - 6% subjects
  
- 55% of the workforce are male but 66% of the subjects

Table 18 Age of subjects

	2008/09	2007/08	2006/07
<b>0-19</b>	1	3	0
<b>% Change</b>	<b>- 67%</b>		<b>+ 300%</b>
<b>20-29</b>	83	92	131
<b>% Change</b>	<b>- 10%</b>		<b>- 30%</b>
<b>30-39</b>	83	103	101
<b>% Change</b>	<b>- 19%</b>		<b>+ 2%</b>
<b>40-49</b>	57	63	56
<b>% Change</b>	<b>- 10%</b>		<b>+ 13%</b>
<b>50-59</b>	14	24	10
<b>% Change</b>	<b>- 42%</b>		<b>+ 140%</b>
<b>60+</b>	1	2	0
<b>% Change</b>	<b>- 50%</b>		<b>+ 200%</b>
<b>Unknown</b>	27	24	19
<b>% Change</b>	<b>+ 13%</b>		<b>+ 26%</b>

- Apart from age band 'unknown' each age group has seen a decrease
- The majority of subjects this period are aged between 20 and 39

Table 19 Ethnicity of subjects

	2008/09	2007/08	2006/07
<b>White</b>	225	263	279
<b>% Change</b>	<b>- 14%</b>		<b>- 6%</b>
<b>Black</b>	1	5	0
<b>% Change</b>	<b>- 80%</b>		<b>+ 500%</b>
<b>Asian</b>	13	17	12
<b>% Change</b>	<b>- 24%</b>		<b>+ 15%</b>
<b>Other</b>	0	2	7
<b>% Change</b>	<b>- 100%</b>		<b>- 71%</b>
<b>Unknown</b>	27	24	19
<b>% Change</b>	<b>+ 13%</b>		<b>+ 26%</b>

- Workforce composition (NMIS) compared to those subject to complaints is:
  - 93% White - 85% subjects
  - 5% Asian- 5% subjects
- The decrease in subjects is evident in all ethnic categories except those 'unknown'; the reason for the increase in 'unknown' is that more complaints are being received whereby the member of staff is not identified.

**Table 20 Length of service**

	2008/09	2007/08	2006/07
<b>0-2</b>	30	74	111
<b>% Change</b>	<b>- 59%</b>		<b>- 33%</b>
<b>3-5</b>	85	99	94
<b>% Change</b>	<b>- 14%</b>		<b>+ 5%</b>
<b>6-10</b>	60	37	25
<b>% Change</b>	<b>+ 62%</b>		<b>+37%</b>
<b>11-15</b>	22	25	23
<b>% Change</b>	<b>- 12%</b>		<b>+ 9%</b>
<b>16-20</b>	21	31	26
<b>% Change</b>	<b>- 32%</b>		<b>+ 19%</b>
<b>21-25</b>	15	8	12
<b>% Change</b>	<b>+ 88%</b>		<b>- 33%</b>
<b>26+</b>	6	13	7
<b>% Change</b>	<b>- 54%</b>		<b>+ 86%</b>
<b>Unknown</b>	27	24	19
<b>% Change</b>	<b>+ 13%</b>		<b>+ 26%</b>

- 0-2 years service is the probationary period for new recruits, complaints are expected during this time of learning although this year they are at their all time lowest.
- The largest percentage increase are those with 21-25 years service and numerical increase is 6-10 years service

**Initiatives & Actions to Improve Performance**

Members of PSD gives presentations to new recruits

Head of PSD has an input in law update seminars

Patrol sections now receive regular PSD inputs

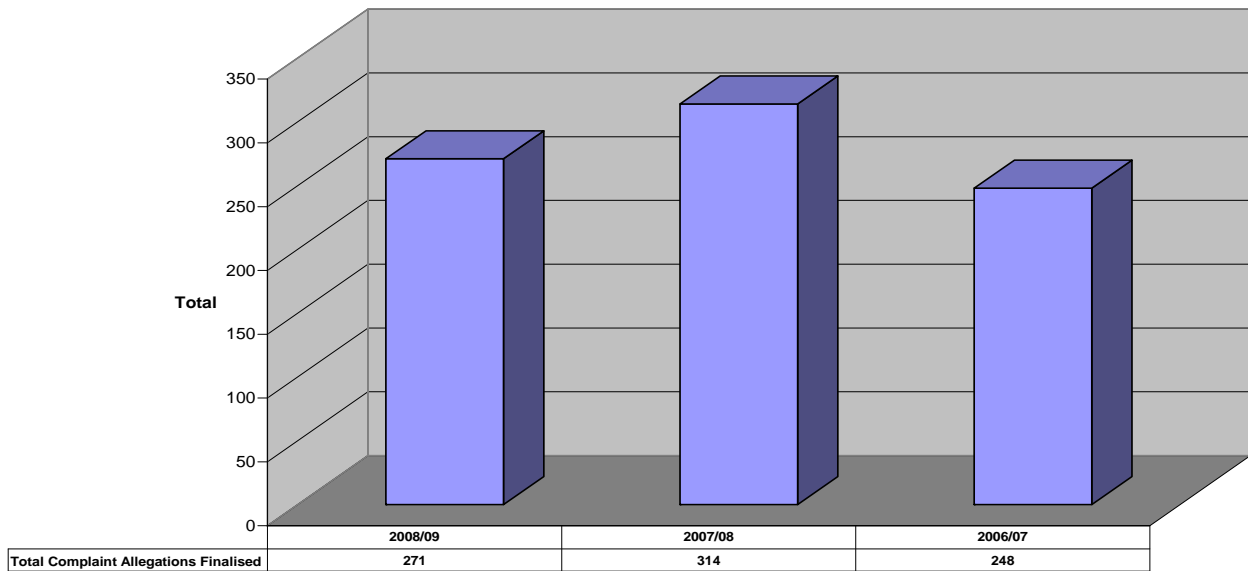
Police Authority attend student training to discuss their role and complaints

Complaint and discipline records are thoroughly checked for suitability of new tutors

## SECTION 6 Complaint Allegations Finalised

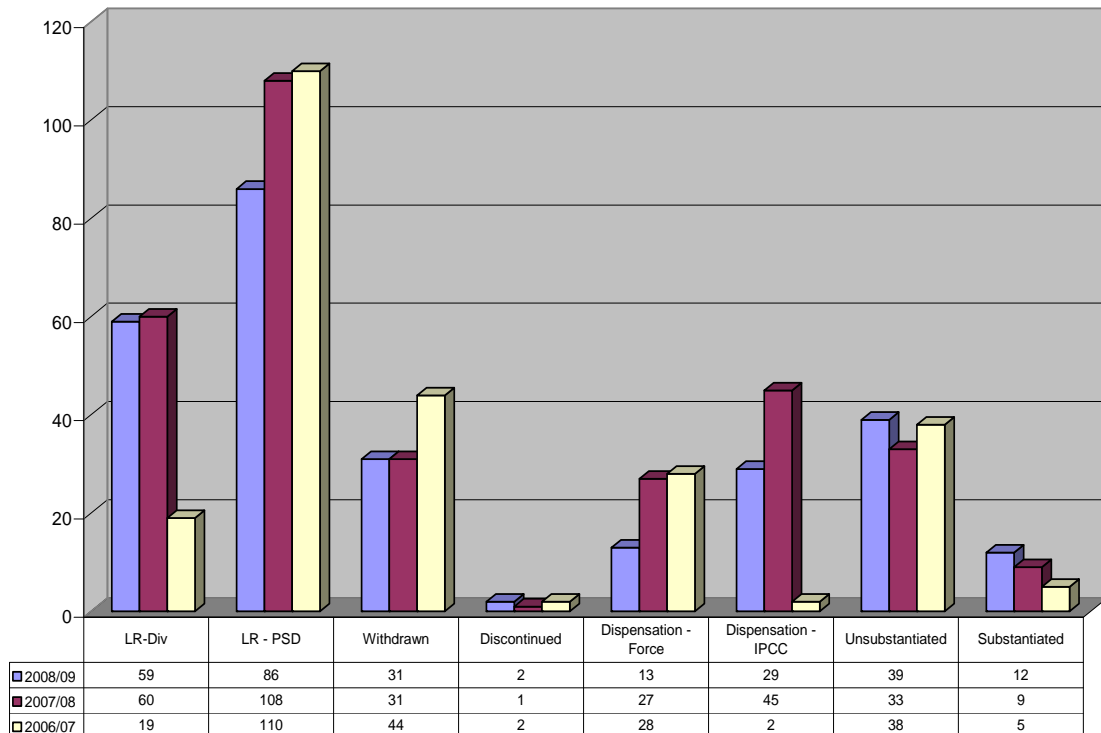
Compared to last year the number of complaint allegations finalised have decreased by 14% and increased by 27% against 2005/06.

**Total Complaint Allegations Finalised**

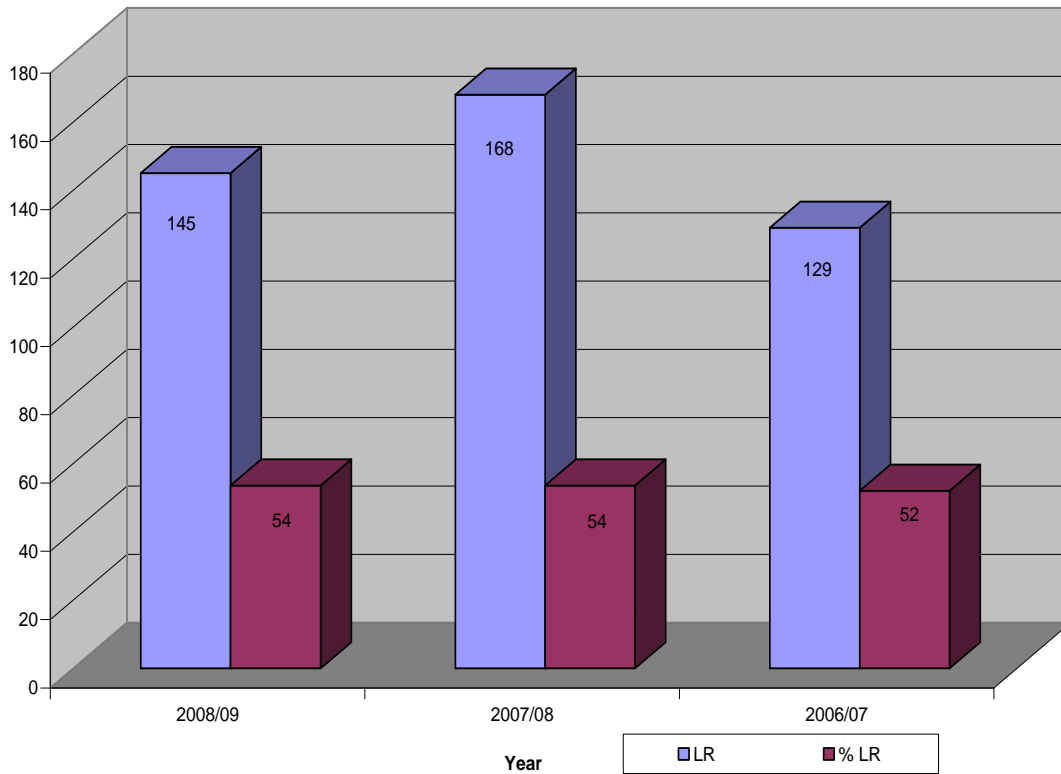


The chart below provides a breakdown of the complaint allegation results

**Complaint Allegation Results**



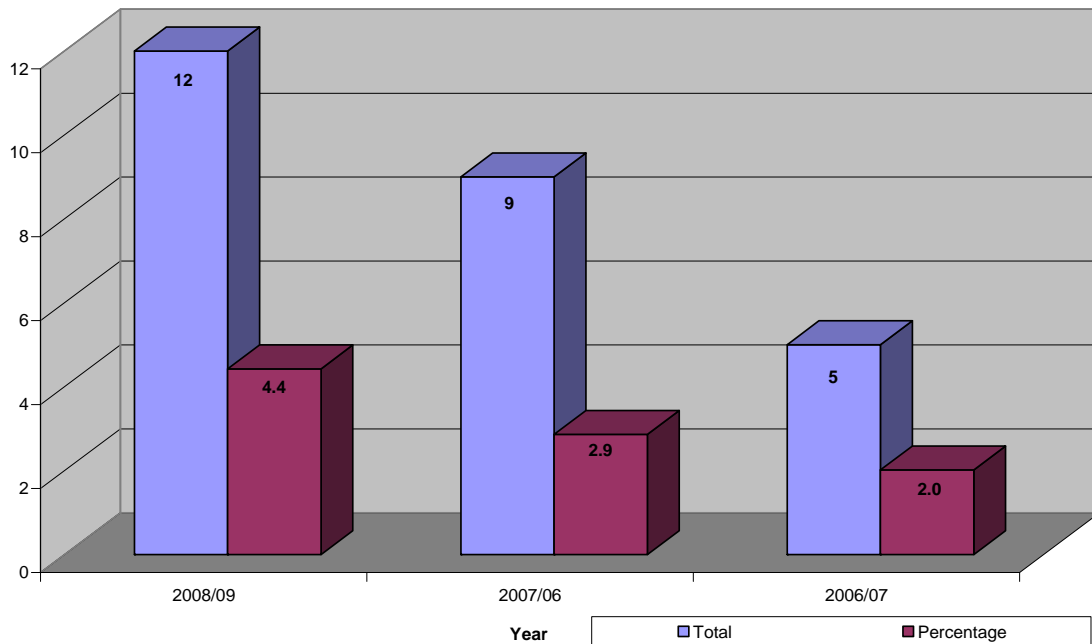
Percentage of Complaint Allegations Locally Resolved



- The actual number of complaint allegations locally resolved has decreased compared to last year by 14% yet increased by 12% on the previous year.
- Despite the number decrease the percentage has remained stable; it is above the MSF 44% average and the 43% IPCC 2007/08 national average<sup>3</sup>

<sup>3</sup> IPCC national average is taken from end of year statistical report 2007/08

**Total & Percentage of Finalised Allegations - Substantiated**



- The actual number of complaint allegations substantiated has increased this year compared to the two preceding years.
- Although the total and percentage has significantly increased it is currently below the MSF 6% average and the 11% IPCC 2007/08 national average<sup>4</sup>

### ***Allegations Result & Complainants Ethnicity***

Allegations recorded this period are not necessarily those finalised, there was 271 allegations finalised involving 190 complainants, of these:

- 80 (30%) were related to the minority ethnic community
- 185 (68%) related to the white community
- Of the ethnic minority complainants 80 finalised allegations 7 (9%) were substantiated compared to 6 of 185 (3%) for complainants of a white background
- Of the ethnic minority complainants 35 (44%) finalised allegations were locally resolved compared to 128 of 185 (69%) for complainants of a white background

<sup>4</sup> IPCC national average is taken from end of year statistical report 2007/08

## ***Allegations Result & Subjects Ethnicity***

The 271 allegations finalised involved 234 subjects, of these:

- 29 (11%) were ethnic minority staff
- 215 (79%) were white staff
- 27 (10%) were unknown – in all these instances the member of staff was never identified
  
- 12 (4%) of the finalised allegations against white subjects were substantiated compared to none against ethnic minority subjects
- 23 (8%) of the ethnic minority subjects finalised allegations were locally resolved compared to 126 (46%) for subjects of a white background

**SECTION 7**  
**Investigation Times**

Percentage change in the tables: ■ Positive ■ Negative

The number of complaint cases finalised have slightly decreased when compared to last year, both in the overall number of cases closed and those closed within the same period as they were recorded.

**Table 21 Cases Closed**

	2008/09	2007/08	2006/07
<b>All Cases Finalised</b>	193	206	154
<b>% Change</b>	- 6%		+ 34%
<b>Cases Finalised of those received in same period</b>	73	74	57
<b>% Change</b>	0		+ 30%

**Table 22 Cases Closed within 120 days against cases**

	2008/09	2007/08	2006/07
<b>Cases Received</b>	169	200	195
<b>All Cases Finalised within 120 days</b>	170	165	127
<b>Percentage of cases</b>	+ 101%	+ 83%	+ 65%

Table 22 is a measure of cases finalised within 120 working days against the number of cases received into force and not against the total number of cases finalised.

This period the department finalised more cases than those received, hence a significant increase.

### Full Investigations

There has been a significant increase in the number of full investigation cases finalised this year compared to the two preceding years, as has the number completed within 120 working days.

**Table 23 Full Investigation Cases Closed & 120 Day Timescale**

	2008/09	2007/08	2006/07
<b>Total Full Investigations</b>	30	23	20
<b>% Change</b>	+ 30%		+ 15%
<b>Total Full Investigations completed in 120 working days</b>	23	9	7
<b>% Change</b>	+ 156%		+ 29%

## Local Resolutions

Table 24 is a measure of cases and not allegations therefore if a case had two allegations and one was substantiated and one locally resolved the timescale measure will be that of the most severe result, hence substantiated.

Table 24 Local Resolution Cases & 120 Day Timescale

	2008/09	2007/08	2006/07
<b>Total Local Resolution Cases</b>	109	114	75
<b>% Change</b>	<b>- 4%</b>		<b>+ 52%</b>
<b>Total completed in 120 working days</b>	103	100	70
<b>% Change</b>	<b>+ 3%</b>		<b>+ 43%</b>

- There has been a slight decrease in the number of cases locally resolved although a small increase in those completed within the 120 working day target.

In accordance to the IPCC statutory guidance the timescale for local resolutions is an average of 28 days; the number of cases meeting the target has risen although during the last three years the average timescale has fluctuated.

Table 25 Local Resolution Cases & 28 Day Average Timescale

	2008/09	2007/08	2006/07
<b>Total Local Resolution Cases</b>	109	114	75
<b>Total completed in average of 28 working days</b>	43	37	26
<b>% Change</b>	<b>+ 16%</b>		<b>+ 42%</b>
<b>Average Working Days – all local resolution cases</b>	48	62	46

### Initiatives & Actions to Improve Performance

Local resolution training for:

- \* Customer Service Managers
- \* Taylor Pilot
- \* Territorial Policing Managers

**SECTION 8  
IPCC Appeals**

It is difficult to ascertain any trends as the numbers are small.

**Table 26 Appeals – Category and outcomes**

		Out-standing	Not Upheld	Upheld	Total
<b>Complaint</b>	<b>LR Process</b>				
	2008/09	3	2	1	6
	2007/08	0	5	2	7
	2006/07	0	5	0	5
	<b>Outcome of Police Investigation</b>				
	2008/09	2	6	1	9
	2007/08	0	6	1	7
	2006/07	0	4	0	4
<b>Direction &amp; Control</b>	<b>Non Recording of a Complaint</b>				
	2008/09	2	3	2	7
	2007/08	0	2	1	3
	2006/07	0	4	1	5
<b>Inbox</b>	<b>Non Recording of a Complaint</b>				
	2008/09	0	1	0	1
	2007/08	0	1	2	3
	2006/07	2	2	0	4

**Initiatives & Actions to Improve Performance**

\* Number of appeals made for non recording of a complaint when recorded as a direction and control matter is currently being monitored by PSD.

**Table 27 Percentage of appeals against cases finalised.**

	2008/09	2007/08	2006/07
<b>All Cases Finalised</b>	193	206	154
<b>Total Appeals</b>	23	20	18
<b>% Appeals of all Finalised Cases</b>	<b>12%</b>	<b>10%</b>	<b>12%</b>
<b>% Upheld</b>	<b>17%</b>	<b>30%</b>	<b>6%</b>

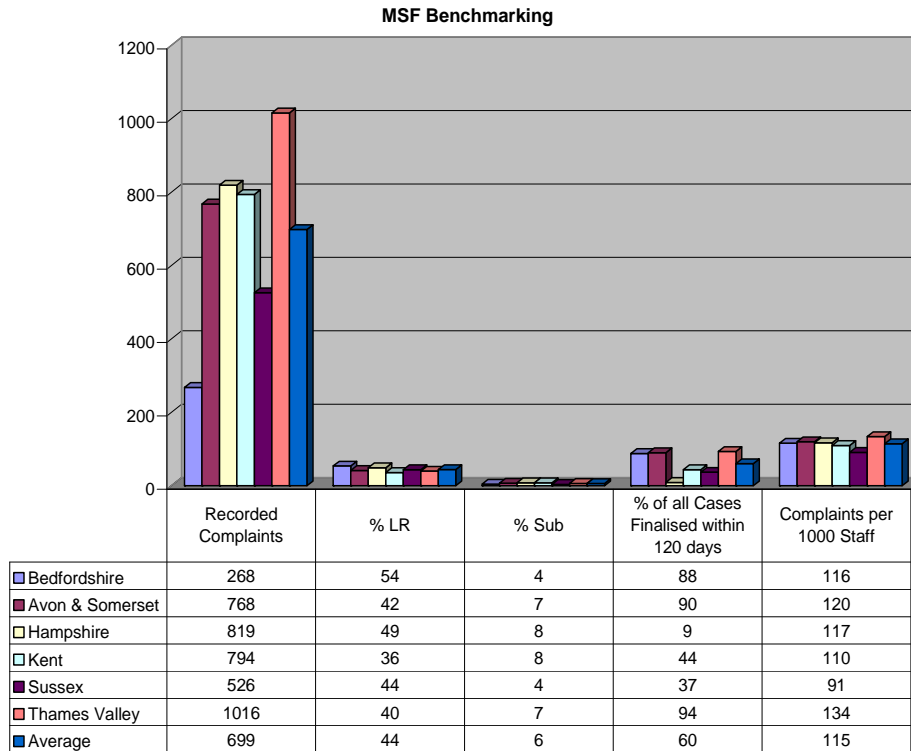
The number of appeals has consistently increased whilst the percentage upheld has fluctuated. This period has seen a significant decrease. The percentage upheld is below the 28% IPCC 2007/08 national average.<sup>5</sup>

<sup>5</sup> IPCC national average is taken from end of year statistical report 2007/08

**SECTION 9**  
**Most Similar Family (MSF)**

**Most Similar Family (MSF)**

MSF benchmarking data is compared against five other forces that are similar in demographics



In comparison Bedfordshire is better than the MSF average in all areas:

- Recorded complaints
- Percentage of substantiated Complaints
- Allegations per staff
- % local resolutions
- % cases finalised within 120 days

Bedfordshire are best performing in the areas of:

- % Local Resolutions
- Percentage of Substantiated Complaints

**SECTION 10  
Conduct Matters**

**Recorded**

The number of conduct matters recorded has consistently increased; this is probably due to the increase in Confidential Reporting web link.

**Table 28 Matters recorded:**

<b>Conduct Code</b>	<b>Categories</b>	<b>2008/09</b>	<b>2007/08</b>	<b>2006/07</b>
<b>A</b>	Honesty & Integrity	8	7	17
<b>B</b>	Fairness & Impartiality	2	0	1
<b>C</b>	Politeness & Tolerance	5	7	1
<b>D</b>	Use of Force & Abuse of Authority	6	3	1
<b>E</b>	Performance of Duties	4	17	3
<b>F</b>	Lawful Orders	3	1	0
<b>G</b>	Confidentiality	6	3	5
<b>H</b>	Criminal Offences	2	2	7
<b>I</b>	Property	1	1	1
<b>J</b>	Sobriety	0	0	0
<b>K</b>	Appearance	0	0	0
<b>L</b>	General Conduct	21	16	9
<b>TOTAL</b>		<b>58</b>	<b>57</b>	<b>45</b>

- No one allegation has been consistently highest over the past three years
- Category with the biggest increase this year compared to last:
  - L - 'General Conduct'

Of the 21 general conduct:

- Ten are off duty matters (six of these are alcohol related)
- Eight are where staff have inappropriately used the force email or internet systems.

The table below provides a breakdown of staff types who have misconducts recorded against them, they will not equate to the above table as one misconduct matter can involve two staff types, therefore counted once in table 28 and twice in table 29; similarly one member of staff could have multiple matters recorded against them.

**Table 29 Staff Type of subjects**

Staff Type	2008/09	2007/08	2006/07
Community Support	2	2	1
Police Staff	19	5	12
Officers	29	49	59
Special Constables	2	1	4
<b>Total</b>	<b>52</b>	<b>57</b>	<b>76</b>

The total number of police staff as subjects has significantly increased this year compared to last

### Initiatives & Actions to Improve Performance

Conducts recorded against police staff are currently being monitored

Head of PSD provides presentations at the

- \* Law Input Seminars
- \* Student Training
- \* Special Constable Training
- \* Departmental training sessions
- \* Marketing the department, its work and methods of reporting at every opportunity
- \* PSD staff on divisions are dealing with more face to face enquiries

An 'advice' column has been set up on the force intranet that answers questions with regards to issues of PSD Concern, such as:

- \* Internet Misuse
  - Face book
  - My Space
  - EBay

## Finalised

The number of misconduct matters finalised has decreased compared to last year

**Table 30 Matters Finalised**

Conduct Code	Categories	2008/09	2007/08	2006/07
<b>A</b>	Honesty & Integrity	6	7	15
<b>B</b>	Fairness & Impartiality	1	6	1
<b>C</b>	Politeness & Tolerance	3	3	2
<b>D</b>	Use of Force & Abuse of Authority	1	1	3
<b>E</b>	Performance of Duties	3	12	9
<b>F</b>	Lawful Orders	5	0	0
<b>G</b>	Confidentiality	5	2	3
<b>H</b>	Criminal Offences	0	3	5
<b>I</b>	Property	0	2	0
<b>J</b>	Sobriety	1	0	0
<b>K</b>	Appearance	0	0	0
<b>L</b>	General Conduct	18	13	4
<b>TOTAL</b>		<b>43</b>	<b>49</b>	<b>42</b>

Of the matters finalised there was one conduct hearing completed

**Table 31 Total Conduct Hearings Completed**

	2008/09	2007/08	2006/07
Hearings Completed	1	2	1

The total of sanctions in the below table will not equal the number of matters finalised as it is the most severe sanction that is shown against a member of staff in any one case.

**Table 32 Sanctions**

Most Severe Sanction	2008/09	2007/08	2006/07
Dismissal	0	0	0
Required to resign	0	0	0
Reduction in rank	0	0	0
Fine	1	1	0
Reprimand	1	0	0
Caution	1	0	0
Written warning	12	7	3

**SECTION 11**  
**Criminal Prosecutions**

There has been two criminal prosecutions recorded this period

**Table 33 Criminal prosecutions recorded**

	<b>2008/09</b>	<b>2007/08</b>	<b>2006/07</b>
Criminal Prosecutions	2	2	5

**SECTION 12**  
**Direction & Control**

## Recorded

**Table 34 Recorded Categories**

Type	2008/09	2007/08	2006/07
General Policing Standards	55	31	63
Operational Management Decisions	4	11	18
Organisational Decisions	10	10	10
Strategy and Policy on Operational Policing	14	6	15
<b>Total</b>	<b>83</b>	<b>58</b>	<b>106</b>

The number of Direction and Control cases have increased this period but fluctuated over the last three years, what is consistent is that 'General Policing Standards' is the top allegation.

**Table 35 Recorded Letters of Appreciation**

Type	2008/09	2007/08	2006/07
Letters Of Appreciation (LOA)	125	55	NA

No comparisons can be made regarding letters of appreciation as PSD did not start to record until June 2007.

## Finalised

**Table 36 Categories**

Type	2008/09	2007/08	2006/07
General Policing Standards	67	32	57
Operational Management Decisions	8	12	11
Organisational Decisions	11	11	9
Strategy and Policy on Operational Policing	12	7	15
<b>Total</b>	<b>98</b>	<b>62</b>	<b>92</b>

As the numbers fluctuate in recording they have in finalising.

The IPCC state a 28 working day timescale for Direction and Control matters to be dealt with; the percentage of finalised in that time has increased.

## Timescales

Table 37 Timescales

Type	2008/09	2007/08	2006/07
Total finalised (excl LOA)	98	62	92
Total Less than 28 days	59	35	58
% Less than 28 days	60%	56%	59%

SECTION 13  
Conclusion

The Force continues to meet the requirements of the provisions of the Police Act 1996 with regard to the handling of Complaints and Misconduct and the Police Authority remained properly informed of the workings of Sections 67 to 76 of that Legislation.

SECTION 14  
Recommendation

That the report be accepted and noted by members of the Police Authority.



**INDEPENDENT CUSTODY VISITORS' PANEL**

**21<sup>st</sup> October 2008**

**Minutes of Meeting**

**PRESENT**

Mrs P Fletcher (Chair)

Miss Jacqueline Dowsing, Mr George Dykes, Mr. Vic Eltringham, Ms Sandra Fairs, Mrs Honey Farmer, Mr Nick Hill, Mr Philip Jerred, Mr. Lee Knapp, Mr Humayun Kobir, Ms June Laws, Mr Abdul Malik, Mr Graham Mitchell, Mr. Hugh Pratt, Mr Michael Rudd, Mr. Richard Sutton, Mr. Stephen Tiktin, Mr Ian Webster, Mr Shahzad Choudhry, Mrs Linda Hockey, Mrs Kathy Johnson, Mr Raja Saleem, Mrs Pat Brown, Ms Janet Wardell, Superintendent Neil Wilson, Chief Inspector Ian Middleton, Mr James Hamilton.

Apologies for absence were received from Mrs Susan Edghill, Mr Paul Fensom, Mr Barry Wheeldon, Mr David Miller, Ms Colleen Atkins, Mrs Lenanne Whitehead

**1 MINUTES**

The minutes of the Independent Custody Visitors' Panel held on 29<sup>th</sup> July 2008 were confirmed.

**2 MATTERS ARISING**

**Annual Report**

The Chair advised that Bedfordshire ICV Scheme would be publishing an Annual Report in January. Members of the Panel were asked to submit any ideas with regard to the content to Scheme Administrator Pat Brown. They were also informed that some Custody Visitors were required to be photographed for the publication and an email would be sent out on this matter shortly.

**Introduction Cards**

Superintendent Neil Wilson advised that work on reviewing introduction cards was in progress.

**Delayed and Declined Visits**

In response to comments made by some custody visitors about delayed and declined visits Chief Inspector Ian Middleton advised that the only reason why a visit should be delayed would be for health and safety of Custody Visitors. If the situation occurred whereby a visit was asked to be postponed / cancelled by Custody Staff because of resource issues or a very busy Custody Suite Chief Inspector Middleton urged that the matter be escalated to the Duty Inspector in charge of Custody. He also advised that the Duty Inspector may not be at the Police Station in person but would be contactable by telephone or radio.

The action to escalate the matter to the Duty Inspector would be in the interests of the detainees and the Custody Staff who would be under pressure at this time. Custody Visitors were asked to express to Custody staff that the action was carried out in support of their work and not in any way as a negative reflection on them.

The Chair, Mrs Penny Fletcher suggested that an information sheet be produced with regard to escalating matters of concern to the Duty Inspector whilst carrying

out an Independent Custody Visit. Members of the panel agreed to this. Ms. Sandra Fairs agreed to be involved in the development of this information sheet along with Chief Inspector Middleton, Mrs Penny Fletcher and Mrs Pat Brown. It was agreed that this information sheet would be distributed to all Custody Staff as well as Custody Visitors.

### **3 PROFESSIONALISING CRIMINAL JUSTICE**

Mr James Hamilton, Project Manager – Strategic Projects gave a presentation to the panel on ‘Professionalising Criminal Justice’

The Criminal Justice Department encompasses the processes from the point at which a person is taken into custody (or has a summons raised against them), through the building of a prosecution case in conjunction with colleagues in the Crown Prosecution Service to receiving and acting on results from the courts.

Professionalising Criminal Justice is a project to create structures and processes to improve Criminal Justice within Bedfordshire and Luton to help it deliver a better service to the public and to colleagues in the Crown Prosecution Service.

Custody is a priority area in the project as it is the first part of the process of Criminal Justice.

Work that had been scoped and was in progress concerning Custody:

- CCTV
- Livescan –fingerprint taking process
- Interpreter improvement
- Digital recording of interviews
- Medical provision review
- Implementation of “Safer Detention”
- Review of case preparation process
- Electronic link to CPS/Courts
- Witness Charter delivery
- Implementation of Bichard Recommendation 7-that courts have responsibility to update Police National Computer(PNC)

Mr Hamilton advised Custody Visitors that they were key to the project for the following reasons:

- Continued monitoring of detainees
- Working with force to drive up standards
- Understanding the complex environment that makes up custody
- Working with force to improve the visiting regime whilst maintaining independence

Mr Hamilton invited Members of the panel to contact him regarding aims and progress of the project.

Members of the Panel made comments on two terms used throughout Custody Visiting

1. Use of the term ‘prisoner’ – it was agreed that the term ‘prisoner’ should not be used with regard to detainees in custody – they should always be referred to as ‘detainees’.

2. The term 'lay visitor' – this old term was used prior to the scheme becoming statutory in 2003. It was acknowledged that the term 'Independent Custody Visitor' should be used. It was pointed out that there is a file labelled 'lay visitors' in one of the custody suites and it was agreed that this be updated.

Miss Dowsing raised a question regarding how performance of the ICV Scheme could be evaluated.

Mrs Fletcher advised that any performance monitoring of the scheme needed to be done by the Authority to retain independence.

The objectives of the scheme were for independent members of the community to check on the health and welfare of detainees in police custody, to reassure communities that the health and welfare of detainees was considered of high importance and to enable communities to have confidence in their police service. These objectives are not easily measured. It was suggested by the Chair and agreed by the panel that the development of a performance monitoring framework for the Independent Custody Visiting Scheme to be researched and that the matter be brought back to the panel.

#### **4 REPORT OF BEDFORDSHIRE POLICE CUSTODY SUITES**

##### **Resource Levels**

Inspectors Devlin and Harris had completed three days of interviews and selected a total of 11 potential Detention Officers. Regrettably 4 of these candidates had subsequently declined posts and to date only one candidate had successfully completed the Force fitness test. This highlighted the difficulties experienced in recruiting to these posts. The temporary funding issues had been resolved and the remaining 12 month contracts for DO's were to be converted to full time posts.

##### **Staff Changes**

Sergeant John Murphy was to leave the Custody unit at Luton on 1<sup>st</sup> November to join the Neighbourhood Policing Team. His replacement, Sergeant 530 Mahon was currently undergoing training.

Sergeant Bob Reid was to retire in November and again, his replacement, Sergeant 1237 Miranda was currently being trained.

##### **Estates Issues**

The fixed bench seating at Luton was to be replaced with linked seating of the same design as that in use at Bedford. The new seating had now arrived.

Remedial work had been undertaken to rectify the potential for detainees to stand on the windowsills of the cells that are accessible from the exercise yard at Bedford. Plastic ramps had been fitted over the sills. It is hoped that the exercise yard would be able to be used more freely now that this issue had been resolved.

On 6<sup>th</sup> October the tunnel between Luton Custody and the Magistrates court was flooded after a heating water pipe burst. Minimal disruption was caused to Custody, but the Court had to be closed and remand detainees transported to Bedford Magistrates.

##### **Drug Testing**

The drug testing equipment had been upgraded by the supplier, COZART. This had necessitated the re-training of all Detention Officers on the new system. The new equipment came into use on 30<sup>th</sup> September. The transition had run very smoothly, with no downturn in performance.

### **Custody Performance**

A new performance framework and audit process had been devised for Custody. The first round of the new audit process was completed this month and had highlighted the need for improved training in some key performance areas. These issues were being progressed by the Custody Managers.

A new Criminal Justice Intranet page had been launched on the Force system. This has a sub-page for Custody, which would allow information to be shared with Custody staff much more readily and would provide a repository for useful guidance and information.

### **Bail Policy**

A Force policy and procedure for the management of bail had been launched, which it was hoped would reduce the use of bail and would drive efficiency improvements in investigative processes.

### **Custody Strategic Direction**

In preparation for the anticipated 2009 HMIC Inspection of Custody, DCC Stuart had held a "challenge" day looking at various Custody issues. This had highlighted the need for further development of a number of strategic issues affecting Custody and as a result a Gold Group had been formed to manage these issues. This group was to be chaired by ACC Govier. Vice Chair of Police Authority, Penny Fletcher would be a member of the group, which had its inaugural meeting on 13<sup>th</sup> October.

ACC Govier had commissioned a review of Custody with a particular focus on Greyfriars. This review was completed in late September by Inspector Sarah Poolman of Thames Valley Police. Sarah is the former staff officer to Deputy Chief Constable Alex Marshall who was the NPIA lead on Custody Issues. Sarah's recommendations would be acted upon under the aegis of the Gold Group.

### **Operation Safeguard**

No request to reinstate Operation Safeguard had been received. It was forecast that prison population may reach a point where external cell space was required during late November, when the effects of mandatory custodial terms for possession of bladed article offences should start to be seen, but this was not certain.

Mr Hugh Pratt asked if there was any possibility that potential police officer students waiting for their courses to begin could be employed as detention officers in the interim. Superintendent Wilson advised that he would look into the matter.

Mr Jerred wished to personally thank Sergeant Bob Reid who was to retire and stated that his expertise and experience were a great loss to the force.

Mr Lee Knapp enquired if people who spoke languages other than English were considered as potential Detention Officers. Mrs Linda Hockey, Police Authority Member and Chair of Police Authority Human Resources Committee informed the panel that all diverse groups were encouraged to apply for positions in Bedfordshire Police. She added that the matter of recruitment problems in Custody would be taken to the Human Resources Committee. Mrs Hockey planned to meet with Chief Inspector Ian Middleton to discuss the matter further.

Mrs Penny Fletcher wished to express sincere thanks on behalf of the panel to Inspector Ed Devlin and Inspector Paul Harris for all their contributions and attendance at panel meetings in the past and for their ongoing support of the

scheme.

## **5 CUSTODY VISITING UPDATE FROM THE CHAIR**

### **10 Years Service Award to Vic Eltringham**

Mrs Penny Fletcher, Chair, presented Mr Vic Eltringham with a certificate to acknowledge and thank him for 10 years of service to the ICV Scheme.

### **Custody Forum 5<sup>th</sup> November 2008**

The panel was informed that there were still spaces available for ICVs to attend the Custody Forum at Police Headquarters on 5<sup>th</sup> November 2008. Anyone wishing to attend should contact the Scheme Administrator.

### **ICVA National Conference 1<sup>st</sup> November 2008**

Eight members of the panel were to attend the ICVA National Conference at Stratford upon Avon on Saturday 1 November 2008. The Chair requested that those attending took notes so that a report could be delivered to all members of the Panel at the next meeting.

### **Revision of Bedfordshire Independent Custody Visitor Record Form**

The Chair suggested that a small working party be formed to review the ICV Record Form. The group would also consider setting a standard for filling the forms in. Members of the Panel were asked to inform the Scheme Administrator of their interest to participate in this group.

### **Long Service Interviews**

The Chair had conducted some face to face interviews with ICVs who have been with the scheme for over three years. The remaining long serving ICVs would be interviewed by telephone over the coming weeks by the Chair. These interviews were being conducted to bring the scheme in line with ICVA guidance.

### **Dates and Times of Visits**

The Chair asked ICVs to consider the days and times when they visited custody as some gaps had been highlighted in the monitoring report e.g. Luton custody had not been visited during a weekend in the last three quarters.

Members of the panel expressed their thoughts about the introduction process during custody visits. It was strongly felt that the number of detainees willing to be interviewed by ICVs was dependent of the way in which they were introduced by the Detention Officers and it was evident that some introductions were delivered in a much more successful way than others. Members praised particular Custody Officers whose attitude and manner resulted in a majority of detainees wishing to be seen by ICVs and enquired if this positive information would be fed back to them. Chief Inspector Middleton assured the panel that it would.

The panel discussed the option of ICV self introduction as was being used in some other ICV schemes.

The percentage of detainees who were seen by ICVs in Bedfordshire in the last three quarters was 41.3%.

The Scheme Administrator agreed to look into how this figure compared to other ICV schemes and report back at the next meeting.

Mrs Farmer expressed that she always reported a positive action on her record form even if she had had to report some negative and critical remarks. She appreciated that the job of a custody officer could be stressful and difficult and wanted to reflect this understanding in her reports.

## **6 MONITORING REPORT**

Superintendent Neil Wilson presented the quarterly update report on Custody to the panel.

This report summarises the activities of custody visitors between 1st July 2008 and 30th September 2008 and highlighted associated issues.

During the period monitored 31 visits had taken place against a target of 39. 44.8% of detainees during the period had agreed to be visited.

The Chair expressed concern at the amount of estates issues that had not been reported to the Estates Department and asked that the Head of Estates receive copies of the monitoring reports and minutes of all future meetings.

## **7 SCHEME CO-ORDINATOR UPDATE**

Mr Michael Rudd, Scheme Co-ordinator provided an oral update to members of the Panel.

Mr Rudd commented that there were now only 30 ICVs and that this would make reaching targets impossible. It was agreed with the chair that in order to fulfil targets ICVs who were willing could exceed the maximum of 12 visits per year. A recruitment campaign was to take place in the new year.

Mr Rudd encouraged ICVs to visit the custody suites over all days of the week. He encouraged Visitors to undertake their visiting duties in order to meet the targets set. He would continue to monitor the situation.

## **8 ANY OTHER BUSINESS**

### **Recruitment**

The Chair advised that when dates were in place for the recruitment campaign interest from ICVs to contribute to training and the recruitment process would be welcome.

### **Cell Watch Detainees**

Mr Nick Hill enquired on whether a detainee on suicide watch should be visited by ICVs. He had been faced with this situation on a couple of occasions. Superintendent Wilson advised that in these situations each case needed to be taken on its merits with the welfare of the detainee being of the utmost importance. The decision to visit or not was therefore to be made between the Custody Officer and the ICVs on each individual case. The Chair pointed out that if ICVs were not satisfied with the decision of a Custody Officer who denied them access to a detainee on cell watch they should ask to see the detainee's care plan to reassure them.

### **Smoking in Custody**

Superintendent Wilson stated that Smoking Policy of Bedfordshire Police allows detainees to smoke in the covered outdoor yards of the custody suites. However being allowed to go outside to smoke is not a right of detainees and it is dependent on the capacity of staff and demands of the custody suite as to whether detainees are escorted outside to smoke or not.

The supply of nicotine patches and gum was currently being considered by Essex Medical and Forensic Services.

**8      DATE OF FUTURE MEETINGS**

The next meetings will take place at Bridgebury House on:-

Tuesday 27<sup>th</sup> January 2009

Tuesday 28<sup>th</sup> April 2009

Tuesday 21<sup>st</sup> July 2009

Tuesday 20<sup>th</sup> October 2009

6.00pm      Buffet

6.30pm      Meeting begins

